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1850—1851.

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LIST OF VOLUMES.

1812—1814.....	Vol.	I.	GENERAL INDEX } to Vols. I to XX }..	Vol.	XXI.
(In 2 Parts.)			(In course of preparation.)		
1814—1815.....	"	II.	1833—1834.....	"	XXII.
1815—1816.....	"	III.	1834—1835.....	"	XXIII.
1816—1817.....	"	IV.	1835—1836.....	"	XXIV.
1817—1818.....	"	V.	1836—1837.....	"	XXV.
1818—1819.....	"	VI.	1837—1838.....	"	XXVI.
1819—1820.....	"	VII.	1838—1839.....	"	XXVII.
1820—1821.....	"	VIII.	1839—1840.....	"	XXVIII.
1821—1822.....	"	IX.	1840—1841.....	"	XXIX.
1822—1823.....	"	X.	1841—1842.....	"	XXX.
1823—1824.....	"	XI.	1842—1843.....	"	XXXI.
1824—1825.....	"	XII.	1843—1844.....	"	XXXII.
1825—1826.....	"	XIII.	1844—1845.....	"	XXXIII.
1826—1827.....	"	XIV.	1845—1846.....	"	XXXIV.
1827—1828.....	"	XV.	1846—1847.....	"	XXXV.
1828—1829.....	"	XVI.	1847—1848.....	"	XXXVI.
1829—1830.....	"	XVII.	1848—1849.....	"	XXXVII.
1830—1831.....	"	XVIII.	1849—1850.....	"	XXXVIII.
1831—1832.....	"	XIX.	1849—1850.....	"	XXXIX.
1832—1833.....	"	XX.	1850—1851.....	"	XL.

CONTENTS.

AFRICA. (*West.*)

	Page
CORRESPONDENCE with <i>Great Britain</i> , relative to the <i>Slave Trade</i> 1850, 1851..	231, 297
TREATIES, &c. relating to the <i>Slave Trade</i> , <i>Commerce</i> , <i>Human Sacrifices</i> , &c. between <i>Great Britain</i> and <i>Native States</i> and <i>Chiefs</i> on the <i>West Coast of Africa</i> .	
1840—1849..	261, 266, 885

ANHALT-BERNBOURG, ANHALT-CÆTHEN, AND ANHALT-DESSAU.

TREATIES, &c. with FOREIGN POWERS, viz. :—with	
.. <i>Netherlands</i> , &c. Treaty. <i>Commerce</i> and <i>Navigation</i> .	
The Hague, 31st December, 1851..	1109
.. <i>Sardinia</i> , &c. Additional Convention. <i>Com-</i> <i>merce</i> and <i>Navigation</i> .	
Turin, 20th May, 1851..	1194

AUSTRIA.

CORRESPONDENCE with <i>Great Britain</i> , relative to the <i>Slave Trade</i> 1850..	298
--	-----

BADEN.

TREATIES, &c. with FOREIGN POWERS, viz. :—with	
.. <i>Netherlands</i> , &c. Treaty. <i>Commerce</i> and <i>Navigation</i> .	
The Hague, 31st December, 1851..	1109
.. <i>Sardinia</i> , &c. Additional Convention. <i>Commerce</i> and <i>Navigation</i> . Turin, 20th May, 1851.	1194

BAVARIA.

	Page
TREATIES, &c. with FOREIGN POWERS, viz. :—with	
.. <i>Netherlands, &c. Treaty. Commerce and Navigation.</i>	
The Hague, 31st December, 1851..	1109
.. <i>Sardinia, &c. Additional Convention. Commerce</i>	
and <i>Navigation. Turin, 20th May, 1851..</i>	1194

BELGIUM.

CORRESPONDENCE with *Great Britain*, relative to the *Slave Trade*. 1851.. 298

LAWS fixing the *Budget of Expenditure* for 1850, viz. :—

<i>Dotations</i>	..	..	22nd April, 1850..	680
<i>Finances</i>	..	..	4th June, 1850..	680
<i>Public Debt</i>	..	..	4th June, 1850..	683
<i>Non-Valeurs</i>	..	..	5th June, 1850..	686
<i>Expenses</i>	..	..	5th June, 1850..	688
<i>Ways and Means</i>	..	..	26th December, 1850..	689
<i>Interior</i>	..	..	28th December, 1850..	695
<i>Justice</i>	..	..	29th December, 1850..	702
<i>Foreign Affairs</i>	..	..	30th December, 1850..	706
<i>Public Works</i>	..	..	30th December, 1850..	708
<i>War</i>	..	..	27th February, 1851..	713

SPEECH of the *King*, on the *Opening of the Chambers*.
Brussels, 4th November, 1851.. 861

TREATIES, &c. with FOREIGN POWERS, viz. :—with			
..	<i>Great Britain.</i>	Treaty. <i>Commerce and Navigation.</i>	
		London, 27th October, 1851..	4
..	<i>Additional Articles.</i>	<i>Ionian Islands.</i>	
		London, 27th October, 1851..	14
..	<i>Declaration on Exchange of Ratifi-</i>	<i>cations.</i>	
		London, 7th April, 1852..	15
..	<i>Netherlands.</i>	Treaty. <i>Commerce and Navigation.</i>	
		The Hague, 20th September, 1851..	1173
..	<i>Sardinia.</i>	Treaty. <i>Commerce and Navigation.</i>	
		Turin, 24th January, 1851..	149

BRAZIL.

CORRESPONDENCE with *Great Britain*, relative to the *Slave Trade*. .. 1850, 1851.. 298

BRAZIL—*continued.*

	Page
LAW prohibiting <i>Introduction of Slaves into the Province of Rio Grande do Sul</i> 18th October, 1850..	440
TREATIES, &c. with FOREIGN POWERS, viz.:—with	
.. <i>Entre Rios and Uruguay. Convention. Offensive and Defensive Alliance.</i>	
Monte Video, 29th May, 1851..	1135
.. <i>Sardinia. Declarations. Abolition of Differential Dues.</i>	
Rio de Janeiro, ^{24th July, 1848,} _{24th May, 1849,} ..	1128
.. <i>Uruguay. Treaty. Alliance.</i>	
Rio de Janeiro, 12th October, 1851..	1141
.. <i>Do... Treaty. Commerce and Navigation.</i>	
Rio de Janeiro, 12th October, 1851..	1145
.. <i>Do... Treaty. Limits.</i>	
Rio de Janeiro, 12th October, 1851..	1151
.. <i>Do... Treaty. Pecuniary Assistance to Uruguay.</i>	
Rio de Janeiro, 12th October, 1851..	1154
.. <i>Do... Treaty. Surrender of Criminals, Deserters, and Runaway Slaves.</i>	
Rio de Janeiro, 12th October, 1851..	1158

BREMEN.

TREATIES, &c. with FOREIGN POWERS, viz.:—with	
.. <i>Costa Rica. Treaty. Commerce and Navigation.</i>	
Guatemala, 10th March, 1848..	1365
.. <i>Guatemala. Treaty. Friendship, Commerce, and Navigation.</i>	
Guatemala, 25th June, 1847..	1359
.. <i>Sardinia. Treaty. Commerce and Navigation.</i>	
Paris, 29th April, 1851..	1189

BRUNSWICK.

TREATIES, &c. with FOREIGN POWERS, viz.:—with	
.. <i>Netherlands, &c. Treaty. Commerce and Navigation.</i>	
The Hague, 31st December, 1851..	1109
.. <i>Sardinia, &c. Additional Convention. Commerce and Navigation.</i>	
Turin, 20th May, 1851..	1194

CENTRAL AMERICA.

	Page
CORRESPONDENCE between <i>Great Britain</i> and <i>United States</i> respecting <i>Central America</i> . 1849—1851..	953

COLOMBIA.

ACT of <i>Congress</i> , declaring <i>Slave Trade Piracy</i> . Bogotá, 14th February, 1825..	1162
---	------

COSTA RICA.

TREATIES, &c. with FOREIGN POWERS, viz. :—with	
.. <i>Hanse Towns. Commerce and Navigation.</i>	
Guatemala, 10th March, 1848..	1365
.. <i>United States. Treaty. Friendship, Commerce,</i> <i>and Navigation.</i>	
Washington, 10th July, 1851..	1090

DENMARK.

CORRESPONDENCE and <i>Documents</i> , relative to the <i>Affairs</i> of the <i>Duchies of Schleswig and Holstein.</i>	
1844—1848..	1250
.. .. with <i>Great Britain</i> , relative to the <i>Slave</i> <i>Trade.</i> ..	1851.. 302
SPEECH of the <i>King</i> , on the <i>Opening</i> of the <i>Constituent Assembly.</i>	
Copenhagen, 23rd October, 1848..	1345
TREATIES, &c. with FOREIGN POWERS, viz. :—with	
.. <i>Prussia. Convention. Armistice.</i>	
Malmö, 26th August, 1848..	1333
.. <i>Sardinia. Declarations. Abolition of Differen-</i> <i>tial Dues.</i> <small>Turin, 12th July,</small> <small>Copenhagen, 11th September,</small> 1850..	1133

ENTRE RIOS.

CONVENTION of <i>Offensive and Defensive Alliance</i> with <i>Brazil</i> and <i>Uruguay</i> . Monte Video, 29th May, 1851..	1135
--	------

EQUATOR.

	Page
ACT of the <i>Congress of Colombia</i> , declaring <i>Slave Trade Piracy</i> . Bogotá, 14th February, 1825..	1162
TREATY of <i>Friendship, Commerce, and Navigation with Great Britain</i> . Quito, 3rd May, 1851..	18

FRANCE.

CORRESPONDENCE with <i>Great Britain, &c.</i> relative to <i>M. Pacifico's Claim on Greece for Loss of Documents</i> , connected with his <i>Claims on Portugal</i> . 1850, 1851..	617
.. .. with <i>Great Britain</i> , relative to the <i>Slave Trade</i> . 1850, 1851..	303
.. .. relative to the <i>Affairs of the Duchies of Schleswig and Holstein</i> . 1848..	1252
DECREE promulgating the <i>Treaty of Commerce and Navigation with Sardinia</i> , of 5th November, 1850. Paris, 10th February, 1851..	1237
.. for the <i>Execution of the Treaty of Commerce and Navigation with Sardinia</i> , of 5th November, 1850. Paris, 10th February, 1851..	1244
.. for the <i>Execution of Articles III and V of the Convention of Commerce and Navigation with Sardinia</i> , of 5th November, 1850. Paris, 10th February, 1851..	1246
.. promulgating the <i>Additional Convention of Commerce and Navigation with Sardinia</i> , of 20th May, 1851. Paris, 17th July, 1851..	1248
.. for the <i>Execution of the Additional Convention of Commerce and Navigation with Sardinia</i> , of 20th May, 1851.. Paris, 19th of July, 1851..	1247
LAW for the <i>Regulation of the Budget of Expenditure for 1851</i> . Paris, 29th July, 1850..	643
.. for the <i>Regulation of the Budget of Receipts for 1851</i> . Paris, 7th August, 1850..	667
MESSAGE of the <i>President</i> , on the <i>Opening of the National Legislative Assembly</i> . Paris, 4th November, 1851..	863

FRANCE—*continued.*

	Page
TREATIES, &c. with FOREIGN POWERS, viz. :—with	
.. <i>Great Britain.</i> Convention. <i>Copyright.</i>	
Paris, 3rd November, 1851..	27
.. <i>Procès Verbal</i> on Exchange of	
<i>Ratifications.</i>	
Paris, 8th January, 1852..	40
.. <i>Sardinia.</i> Treaty. <i>Commerce and Navigation.</i>	
Turin, 5th November, 1850..	1237
.. <i>Do.</i> Additional Convention. <i>Commerce</i>	
and <i>Navigation.</i>	
Turin, 20th May, 1851..	1248

FRANKFORT.

TREATIES, &c. with FOREIGN POWERS, viz. :—with	
.. <i>Netherlands, &c.</i> Treaty. <i>Commerce and Navigation.</i>	
The Hague, 31st December, 1851..	1109
.. <i>Sardinia, &c.</i> Additional Convention. <i>Com-</i>	
merce and <i>Navigation.</i>	
Turin, 20th May, 1851..	1194

See also GERMANY.

GERMANY.

CONVENTION of <i>Armistice</i> between <i>Prussia, &c.</i> and <i>Denmark.</i>	
Malmö, 26th August, 1848..	1333
CORRESPONDENCE and <i>Documents</i> , relative to the <i>Affairs</i> of	
the <i>Duchies</i> of <i>Schleswig</i> and <i>Holstein.</i>	
1844—1848..	1250
DECLARATION of the <i>Diet</i> , respecting the <i>Slave Trade.</i>	
Frankfort, 3rd February, 1843..	952
RESOLUTION of the <i>Diet</i> , for the <i>Punishment</i> of <i>Slave Trade</i> as	
<i>Piracy.</i> Frankfort, 19th June, 1845..	953

GREAT BRITAIN.

ACCOUNTS.	FINANCE.	Public Income :	Page
..		United Kingdom. .. 1851..	96
..		Great Britain. .. 1851..	98
..		Ireland. .. 1851..	100
..		United Kingdom :	
..		Total Income and Expenditure. 1851..	102
..		Net Income and Expenditure. 1851..	104
..		National Debt. Receipts and Expenditure of Commissioners. 1851..	106
		Unredeemed Funded Debt created and reduced.	
		5th Jan. 1852..	108
..		Public Funded Debt. 5th Jan. 1852..	112
..		Unfunded Debt. 5th Jan. 1852..	116
..	TRADE.	United Kingdom. .. 1849—1851..	117
	..	Great Britain. .. do.	117
	..	Ireland. .. do.	118
..	NAVIGATION.	United Kingdom. .. do.	118
	..	Great Britain. .. do.	119
	..	Ireland .. do.	119
ACT OF PARLIAMENT, extending the Provisions of the Designs Act, 1850, and giving Protection from Piracy to Persons exhibiting new Inventions in the Exhibition of 1851.			
		11th April, 1851..	845
..	..	to prevent the Assumption of certain Ecclesiastical Titles in respect of Places in the United Kingdom.	
		1st August, 1851..	848
..	..	for the Settlement of the Boundaries between Canada and New Brunswick.	
		7th August, 1851..	850
..	..	to amend the Law of Evidence. Production of Treaties and Official Documents in Courts of Law.	
		7th August, 1851..	852
RESPONSE with Greece, &c., relative to M. Pacifico's Claims on Greece for Loss of Documents connected with his Claims on Portugal.			
		1850, 1851..	617
..	..	with Prussia and Turkey, respecting the Condition of Protestants in Turkey.	
		1850, 1851..	221

GREAT BRITAIN—*continued.*

	Page
CORRESPONDENCE with <i>Russia</i> , relative to the <i>Affairs of Greece</i> , previous to the <i>Treaty of July 6, 1827.</i>	
1823—1827..	1204
.. .. with the <i>Two Sicilies</i> relative to <i>Atrocities</i> alleged to have been committed by the <i>Neapolitan Army in Sicily.</i> 1848..	715
.. .. with <i>Turkey</i> , &c. respecting <i>Refugees</i> from <i>Hungary</i> within the <i>Turkish Dominions.</i>	
1851..	121
.. .. with <i>United States</i> , respecting <i>Central Ame-</i> <i>rica.</i> .. 1849—1851..	953
.. .. and <i>Documents</i> relative to the <i>Affairs of the</i> <i>Duchies of Schleswig and Holstein.</i>	
1844—1848..	1250
.. .. relative to the SLAVE TRADE , 1850, 1851; viz.:	
With <i>British Commissioners.</i>	
	Page
Sierra Leone 231	Page
Cape of Good Hope .. 231	231
Naval Officers.. .. 232	231
With <i>Foreign Powers.</i>	
	Page
Africa 297	Page
Austria 298	303
Belgium 298	304
Brazil 298	307
Denmark 302	307
France 303	308
Muscat 303	308
Venezuela 309	309
NOTIFICATION of the raising of the <i>Danish Restrictions</i> on the <i>Navigation of the Eyder.</i>	
London, 30th January, 1851..	857
.. .. of the <i>Turkish Blockade</i> of the <i>Ports and Coasts</i> of <i>Samos.</i> London, 11th February, 1851..	857
.. .. of the <i>British Embargo</i> on all <i>Traffic</i> in the <i>Port</i> of " <i>The Union</i> ," and of the <i>Blockade</i> of the <i>Coast of Salvador.</i> London, 8th March, 1851..	858
.. .. of the <i>Raising of the Turkish Blockade</i> of the <i>Ports and Coasts of Samos.</i>	
London, 22nd May, 1851..	858

GREAT BRITAIN—*continued.*

	Page
ORDER IN COUNCIL, fixing the <i>Consular Fee</i> on <i>Certificates</i> relative to the <i>Shipment, Discharge, or Desertion</i> of <i>British Seamen</i> in <i>Foreign Ports.</i> London, 14th April, 1851..	858
.. .. suspending in <i>British Guiana</i> the <i>Prohibitions</i> against <i>Foreign Reprints</i> of <i>British Books</i> entitled to <i>Copyright.</i> Windsor, 23rd October, 1851..	860
PROTOCOL of <i>Conference</i> with <i>Portugal</i> , renewing for 3 years, the <i>Permission</i> granted to <i>Vessels</i> of <i>Great Britain</i> to enter <i>Portuguese Rivers</i> and <i>Creeks</i> , on <i>East Coast</i> of <i>Africa</i> , for the purpose of <i>preventing</i> the <i>Slave Trade.</i> London, 19th November, 1850..	240
.. of <i>Conference</i> with <i>Russia</i> , for the <i>Settlement</i> of the <i>Differences</i> between <i>Greece</i> and <i>Turkey.</i> St. Petersburg, $\frac{23rd\ March,}{4th\ April,}$ 1826..	1206
SPEECH of <i>The Queen</i> , on the <i>Opening</i> of <i>Parliament.</i> 4th February, 1851..	1
.. of <i>The Queen</i> , on the <i>Closing</i> of <i>Parliament.</i> 8th August, 1851..	2
TREATIES, &c. with FOREIGN POWERS, viz. :—with	
.. <i>Africa (West).</i> <i>Treaties.</i> <i>Human Sacrifices.</i> <i>Commerce.</i> <i>Slave Trade, &c.</i> 1840—1849..	261, 266, 885
.. <i>Belgium.</i> <i>Treaty.</i> <i>Commerce and Navigation.</i> London, 27th October, 1851..	4
.. <i>Additional Articles.</i> <i>Ionian Islands.</i> London, 27th October, 1851..	14
.. <i>Declaration</i> on <i>Exchange</i> of <i>Ratifications.</i> London, 7th April, 1852..	15
.. <i>Equator.</i> <i>Treaty.</i> <i>Friendship, Commerce and Navigation.</i> Quito, 3rd May, 1851..	18
.. <i>France.</i> <i>Convention.</i> <i>Copyright.</i> Paris, 3rd November, 1851..	27
.. <i>Procès Verbal</i> on <i>Exchange</i> of <i>Ratifications.</i> Paris, 8th January, 1852..	40
.. <i>Netherlands.</i> <i>Convention.</i> <i>Navigation.</i> London, 27th March, 1851..	41
.. <i>New Granada.</i> <i>Treaty.</i> <i>Slave Trade.</i> Bogotá, 2nd April, 1851..	45
.. <i>Oldenburg.</i> <i>Convention.</i> <i>Postal.</i> London, 3rd November, 1842..	949

GREAT BRITAIN—*continued.*

	Page
TREATIES, &c. with FOREIGN POWERS, <i>continued</i> , viz.:—with	
.. <i>Peru.</i> Convention. <i>Postal.</i>	
	Lima, 13th August, 1851.. 60
.. <i>Sandwich Islands.</i> Treaty. <i>Friendship, Commerce, and Navigation.</i>	
	Honolulu, 10th July, 1851.. 71
.. <i>Sardinia.</i> Convention. <i>Navigation.</i>	
	London, 23rd January, 1851.. 78
Do. Treaty. <i>Commerce and Navigation.</i>	
	London, 27th February, 1851.. 81
Do. Declaration. <i>Ionian Islands.</i>	
	London, 8th April, 1851.. 94
.. <i>Tuscany.</i> Treaty. <i>Commerce and Navigation.</i>	
	Florence, 5th April, 1847.. 942
.. Declaration. <i>Malta and Gibraltar.</i>	
	Florence, 12th June, 1847.. 947

GREECE.

ADDITIONAL CONVENTION of <i>Commerce and Navigation</i> with the	
<i>Netherlands.</i>	Athens, $\frac{18^{\text{th}}}{30^{\text{th}}}$ June, 1851.. 1164
CORRESPONDENCE with <i>Great Britain</i> , &c. relative to <i>M. Pacifico's Claims</i> on <i>Greece</i> , for <i>Loss of Documents</i> connected with his <i>Claims</i> on <i>Portugal.</i>	
.. .. 1850, 1851..	617

GUATEMALA.

TREATY of <i>Friendship, Commerce, and Navigation</i> with the <i>Hanse Towns.</i>	Guatemala, 25th June, 1847.. 1363
--	-----------------------------------

HAMBURGH.

TREATIES, &c. with FOREIGN POWERS, viz.:—with	
.. <i>Costa Rica.</i> Treaty. <i>Commerce and Navigation.</i>	
	Guatemala, 10th March, 1848.. 1365
.. <i>Guatemala.</i> Treaty. <i>Friendship, Commerce and Navigation.</i>	
	Guatemala, 25th June, 1847... 1359
.. <i>Sardinia.</i> Treaty. <i>Commerce and Navigation.</i>	
	Paris, 29th April, 1851.. 1189

HANOVER.

	Page
DECLARATIONS with <i>Sardinia</i> , relative to the <i>Abolition of Differential Duties.</i>	1132
	Turin, 12th July, Paris, 10th August, 1850..

HANSE TOWNS.

TREATIES, &c. with FOREIGN POWERS, viz. :—with	
.. <i>Costa Rica.</i> Treaty. <i>Commerce and Navigation.</i> Guatemala, 10th March, 1848..	1365
.. <i>Guatemala.</i> Treaty. <i>Friendship, Commerce, and Navigation.</i>	
	Guatemala, 25th June, 1847.. 1359
.. <i>Sardinia.</i> Treaty. <i>Commerce and Navigation.</i>	
	Paris, 29th April, 1851.. 1189

HESSE-CASSEL AND HESSE-DARMSTADT.

TREATIES, &c. with FOREIGN POWERS, viz. :—with	
.. <i>Netherlands, &c.</i> Treaty. <i>Commerce and Navigation.</i>	
	The Hague, 31st December, 1851.. 1109
.. <i>Sardinia, &c.</i> Additional Convention. <i>Commerce and Navigation.</i>	
	Turin, 20th May, 1851.. 1194

HOHENZOLLERN-SIGMARINGEN.

PROCLAMATION of the <i>Prince</i> , announcing the <i>Resignation</i> of his <i>Rights of Sovereignty</i> over the <i>Principality</i> of <i>Hohenzollern-Sigmaringen</i> in favour of the <i>King of Prussia.</i>	
	Sigmaringen, 6th April, 1850.. 1355

IONIAN ISLANDS.

	Page
ACT of the <i>Ionian Parliament</i> , relative to <i>British Diplomatic and Consular Jurisdiction over Ionians in Ottoman Dominions.</i>	
Corfu, April 1, 1845..	940
.. of the <i>Ionian Parliament</i> , to correct an <i>Error in Act of April 1, 1845</i> , relating to <i>British Diplomatic and Consular Jurisdiction over Ionians in Ottoman Dominions,</i>	
Corfu, 20th August, 1845..	941
.. of <i>Ionian Parliament</i> , for the <i>Execution of the Treaty of Commerce and Navigation between Great Britain and Tuscany of April 5, 1847.</i>	
Corfu, 24th April, 1847..	948

LIBERIA.

ACT of the <i>Legislature</i> , relative to the <i>Slave Trade.</i>	
20th December, 1849 ..	258

LIPPE.

TREATIES, &c., with FOREIGN POWERS, viz. :—with	
.. <i>Netherlands, &c. Treaty. Commerce and Navigation.</i>	
The Hague, 31st December, 1851..	1109
.. <i>Sardinia, &c. Additional Convention. Commerce and Navigation.</i>	
Turin, 20th May, 1851..	1194

LUBECK.

TREATIES, &c., with FOREIGN POWERS, viz. :—with	
.. <i>Costa Rica. Treaty. Commerce and Navigation.</i>	
Guatemala, 10th March, 1848..	1365
.. <i>Guatemala. Treaty. Friendship, Commerce, and Navigation.</i>	
Guatemala, 25th June, 1847..	1359
. <i>Sardinia. Treaty. Commerce and Navigation.</i>	
Paris, 29th April, 1851..	1189

LUXEMBURG.

	Page
TREATIES, &c. with FOREIGN POWERS, viz. :—with	
.. <i>Netherlands, &c. Treaty. Commerce and Navigation.</i>	
The Hague, 31st December, 1851..	1109
.. <i>Sardinia, &c. Treaty. Commerce and Navigation.</i>	
Turin, 20th May, 1851..	1194

MECKLENBURG-SCHWERIN.

TREATIES, &c. with FOREIGN POWERS, viz. :—with	
.. <i>Netherlands, &c. Treaty. Commerce and Navigation.</i>	
The Hague, 31st December, 1851..	1109
.. <i>Sardinia, &c. Treaty. Commerce and Navigation.</i>	
Turin, 20th May, 1851..	1194

MOSQUITO.

CORRESPONDENCE between <i>Great Britain</i> and the <i>United States</i> ,	
&c. respecting <i>Central America</i> .	
1849—1851..	953

MUSCAT.

CORRESPONDENCE with <i>Great Britain</i> , relative to the <i>Slave</i>	
<i>Trade</i> .. 1850, 1851..	303

NASSAU.

TREATIES, &c. with FOREIGN POWERS, viz. :—with	
.. <i>Netherlands, &c. Treaty. Commerce and Navigation.</i>	
The Hague, 31st December, 1851..	1109
.. <i>Sardinia, &c. Treaty. Commerce and Navigation.</i>	
Turin, 20th May, 1851..	1194

NETHERLANDS.

	Page
SPEECH of the <i>King</i> , on the <i>Opening</i> of the <i>States-General</i> .	
The Hague, 15th September, 1851..	882
TREATIES, &c., with FOREIGN POWERS, viz.—with	
.. <i>Belgium</i> . Treaty. <i>Commerce</i> and <i>Navigation</i> .	
The Hague, 20th September, 1851..	1173
.. <i>Great Britain</i> . Convention. <i>Navigation</i> .	
London, 27th March, 1851..	41
.. <i>Greece</i> . Additional Convention. <i>Commerce</i> and <i>Navigation</i> .	
Athens, $\frac{1}{30}$ th June, 1851..	1164
.. <i>Prussia</i> , &c. Treaty. <i>Commerce</i> and <i>Navigation</i> .	
The Hague, 31st December, 1851..	1109
.. <i>Sardinia</i> . Treaty. <i>Commerce</i> and <i>Navigation</i> .	
Turin, 24th June, 1851..	1165

NEW GRANADA.

ACT of <i>Congress</i> of <i>Colombia</i> , declaring <i>Slave Trade Piracy</i> .	
Bogotá, 14th February, 1825..	1162
TREATIES, &c. with FOREIGN POWERS, viz. :—with	
.. <i>Great Britain</i> . Treaty. <i>Slave Trade</i> .	
Bogotá, 2nd April, 1851..	45
.. <i>Sardinia</i> . Declarations. <i>Abolition</i> of <i>Differen-</i> <i>tial Dues</i> .	
Turin, 12th July, Bogota 11th October, 1850..	1134

NICARAGUA.

DECREE of the <i>President</i> , for the <i>Temporary Cession</i> of the <i>Island</i> of <i>Tigre</i> to <i>The United States</i> . 9th October, 1849..	999
PROTOCOL of <i>Conference</i> with <i>The United States</i> , for the <i>Tempo-</i> <i>rary Cession</i> of the <i>Island</i> of <i>Tigre</i> to <i>The United</i> <i>States</i> . Leon, 28th September, 1849..	998

NICARAGUA—*continued.*

	Page
TREATIES, &c. with FOREIGN POWERS, viz.:—with	
.. <i>United States.</i> Convention. <i>Pacific Canal</i> [not ratified].	
Guatemala, 21st June, 1849..	969
.. <i>Do...</i> Treaty. <i>Amity, Commerce, and</i> <i>Navigation</i> [not ratified].	
Leon, 3rd September, 1849..	1052

OLDENBURG.

TREATIES, &c. with FOREIGN POWERS, viz.:—with	
.. <i>Great Britain.</i> Convention. <i>Postal.</i>	
London, 3rd November, 1842..	949
.. <i>Netherlands, &c.</i> Treaty. <i>Commerce and Na-</i> <i>igation.</i>	
The Hague, 31st December, 1851..	1109
.. <i>Sardinia.</i> Declarations. <i>Abolition of Differen-</i> <i>tial Dues.</i> <small>Turin, 12th July,</small> <small>Oldenburg, 1st August,</small> 1850..	1131
.. <i>Sardinia, &c.</i> Additional Convention. <i>Com-</i> <i>merce and Navigation.</i>	
Turin, 20th May, 1851..	1194

PERSIA.

CORRESPONDENCE with <i>Great Britain</i> , relative to the <i>Slave Trade.</i>	
1850, 1851..	303

PERU.

TREATIES, &c. with FOREIGN POWERS, viz.:—with	
.. <i>Great Britain.</i> Convention. <i>Postal.</i>	
Lima, 13th August, 1851..	60
.. <i>United States.</i> Treaty. <i>Friendship, Commerce,</i> <i>and Navigation.</i>	
Lima, 26th July, 1851..	1095

PORTUGAL.

CONVENTION of <i>Claims</i> with <i>The United States.</i>	
Washington, 26th February, 1851..	1088
CORRESPONDENCE with <i>Great Britain</i> , relative to the <i>Slave</i> <i>Trade.</i>	
1850, 1851..	231, 304

PORTUGAL—*continued.*

	Page
PROTOCOL of Conference with Great Britain, renewing, for 3 years, the <i>Permission</i> granted to <i>Vessels</i> of Great Britain to enter <i>Portuguese Rivers</i> and <i>Creeks</i> , on <i>East Coast</i> of <i>Africa</i> , for the purpose of <i>preventing</i> the <i>Slave Trade</i> .	
London, 19th November, 1850..	242

PRUSSIA.

CORRESPONDENCE and Documents relative to the <i>Affairs</i> of the <i>Duchies</i> of <i>Schleswig</i> and <i>Holstein</i> .	
1844—1848..	1250
.. .. with Great Britain and Turkey, respecting the <i>Condition</i> of <i>Protestants</i> in <i>Turkey</i> .	
1850, 1851..	221
PROCLAMATION of the <i>King</i> , incorporating the <i>Principality</i> of <i>Hohenzollern-Sigmaringen</i> with the <i>Prussian Dominions</i> .	
Charlottenburg, 12th March, 1850..	1358
TREATIES, &c. with FOREIGN POWERS, viz.:—with	
.. .. <i>Denmark</i> . Convention. <i>Armistice</i> .	
Malmö, 26th August, 1848..	1333
.. .. <i>Netherlands</i> , &c. Treaty. <i>Commerce</i> and <i>Navigation</i> .	
The Hague, 31st December, 1851..	1109
.. .. <i>Sardinia</i> , &c. Additional Convention. <i>Commerce</i> and <i>Navigation</i> .	
Turin, 20th May, 1851..	1194

PYRMONT. See WALDECK.

REUSS-GREITZ, REUSS-LOBENSTEIN-EBERSDORF,
AND REUSS-SCHLEITZ.

TREATIES, &c. with FOREIGN POWERS, viz.:—with	
.. .. <i>Netherlands</i> , &c. Treaty. <i>Commerce</i> and <i>Navigation</i> .	
The Hague, 31st December, 1851..	1109
.. .. <i>Sardinia</i> , &c. Additional Convention. <i>Commerce</i> and <i>Navigation</i> .	
Turin, 20th May, 1851..	1194

RUSSIA.

Page

CORRESPONDENCE with <i>Great Britain</i> , relative to the <i>Affairs of Greece</i> , previous to the <i>Treaty</i> of 6th July, 1827.	..	1823—1827..	1204
.. .. with <i>Prussia</i> , &c. relative to the <i>Affairs of Schleswig and Holstein</i> .		1848..	1251
PROTOCOL of <i>Conference</i> with <i>Great Britain</i> , for the settlement of the <i>Differences</i> between <i>Greece</i> and <i>Turkey</i> .		St. Petersburg, ^{23rd March,} _{4th April,}	1826.. 1206

SANDWICH ISLANDS.

TREATY of <i>Friendship, Commerce, and Navigation</i> , with <i>Great Britain</i> .		Honolulu, 10th July, 1851..	71
---	--	-----------------------------	----

SARDINIA.

CORRESPONDENCE with <i>Great Britain</i> , relative to the <i>Slave Trade</i> .	..	1851..	307
TREATIES, &c. with FOREIGN POWERS, viz. :—with			
.. <i>Belgium</i> . Treaty. <i>Commerce and Navigation</i> .		Turin, 24th January, 1851..	149
.. <i>Brazil</i> . Declarations. <i>Abolition of Differential Dues</i> .		Rio de Janeiro, ^{24th July, 1848} _{24th May, 1849} ..	1128
.. <i>Denmark</i> . Declarations. <i>Abolition of Differential Dues</i> .		^{Turin, 12th July,} Copenhagen, 11th September,	1850.. 1133
.. <i>France</i> . Treaty. <i>Commerce and Navigation</i> .		Turin, 5th November, 1850..	1237
..Do... Additional Convention. <i>Commerce and Navigation</i> .		Turin, 20th May, 1851..	1248
.. <i>Great Britain</i> . Convention. <i>Navigation</i> .		London, 23rd January, 1851..	78
..Do... Treaty. <i>Commerce and Navigation</i> .		London, 27th February, 1851..	81
..Do... Declaration. <i>Ionian Islands</i> .		London, 8th April, 1851..	94

SARDINIA—*continued.*

	Page
TREATIES, &c. with FOREIGN POWERS— <i>continued, viz.:</i> with	
.. Hanover. Declarations. <i>Abolition of Differential Dues.</i>	Turin, 12th July, — 1850.. 1132
	Paris, 10th August,
.. Hanse Towns. Treaty. <i>Commerce and Navigation.</i>	Paris, 29th April, 1851.. 1189
.. Netherlands. Treaty. <i>Commerce and Navigation.</i>	Turin, 24th June, 1851.. 1165
.. New Granada. Declarations. <i>Abolition of Differential Dues.</i>	Turin, 12th July, — 1850.. 1134
	Bogotá, 11th October,
.. Oldenburg. Declarations. <i>Abolition of Differential Dues.</i>	Turin, 12th July, — 1850.. 1131
	Oldenburg, 1st August,
.. Prussia, &c. Additional Convention. <i>Commerce and Navigation.</i>	Turin, 20th May, 1851.. 1194
.. Spain. Convention. <i>Execution of Sentences in Civil Suits.</i>	Madrid, 30th June, 1851.. 1202
.. Sweden. Declarations. <i>Abolition of Differential Dues.</i>	Turin, 12th July, — 1850.. 1129
	Stockholm, 30th July,
.. Switzerland. Treaty. <i>Commerce.</i>	Turin, 8th June, 1851.. 1196

SAXE-ALTENBURG, SAXE-COBURG-GOTHA, SAXE-MEININGEN, AND SAXE-WEIMAR-EISENACH.

TREATIES, &c. with FOREIGN POWERS, viz. :—with	
.. Netherlands, &c. Treaty. <i>Commerce and Navigation.</i>	The Hague, 31st December, 1851.. 1109
.. Sardinia, &c. Additional Convention. <i>Commerce and Navigation.</i>	Turin, 20th May, 1851.. 1194

SAXONY.

TREATIES, &c. with FOREIGN POWERS, viz. :—with	
.. Netherlands, &c. Treaty. <i>Commerce and Navigation.</i>	The Hague, 31st December, 1851.. 1109
.. Sardinia, &c. Additional Convention. <i>Commerce and Navigation.</i>	Turin, 20th May, 1851.. 1194

SCHWARTZBURG-RUDOLSTADT AND SCHWARTZBURG-SONDERSHAUSEN.

	Page
TREATIES, &c. with FOREIGN POWERS, viz. :—with	
.. <i>Netherlands, &c. Treaty. Commerce and Navigation.</i>	
	The Hague, 31st December, 1851.. 1109
.. <i>Sardinia, &c. Additional Convention. Commerce and Navigation.</i>	
	Turin, 20th May, 1851.. 1194

SICILIES.

CORRESPONDENCE relative to <i>Atrocities</i> alleged to have been committed by the <i>Neapolitan Army</i> in <i>Sicily</i> .	
	1848.. 715

SPAIN.

CONVENTION with <i>Sardinia</i> , for the <i>Execution of Sentences</i> in <i>Civil Suits</i> .	Madrid, 30th June, 1851. 1202
CORRESPONDENCE with <i>Great Britain</i> , relative to the <i>Slave Trade</i> .	.. 1850, 1851..231, 307

SWEDEN.

CORRESPONDENCE relative to the <i>Affairs</i> of the <i>Duchies</i> of <i>Schleswig</i> and <i>Holstein</i> .	1848.. 1252
DECLARATIONS with <i>Sardinia</i> , relative to the <i>Abolition</i> of <i>Differential Dues</i> .	Turin, 12th July, 1850.. 1129 Stockholm, 30th July,
LAW for the prevention of the <i>Slave Trade</i> .	Stockholm, 7th February, 1830.. 1234
ORDINANCE of the <i>King</i> , for the suppression of the <i>Slave Trade</i> .	Stockholm, 1st March, 1830.. 1236
SPEECH of the <i>King</i> , on the <i>Closing</i> of the <i>Diet</i> .	Stockholm, 4th September, 1851.. 884

SWITZERLAND.

TREATY of <i>Commerce</i> with <i>Sardinia</i> .	Turin, 8th June, 1851.. 1196
--	------------------------------

THURINGIA.

	Page
TREATIES, &c. with FOREIGN POWERS, viz. :—with	
.. <i>Netherlands, &c. Treaty. Commerce and Navigation.</i>	
The Hague, 31st December, 1851..	1109
.. <i>Sardinia, &c. Additional Convention. Commerce and Navigation.</i>	
Turin, 20th May, 1851..	1194

TRIPOLI.

CORRESPONDENCE with <i>Great Britain</i> , relative to the <i>Slave Trade.</i>	1850, 1851.. 308
--	------------------

TURKEY.

CORRESPONDENCE with <i>Great Britain</i> , relative to the <i>Slave Trade.</i>	1850, 1851.. 308
.. .. with <i>Great Britain</i> and <i>Prussia</i> , respecting the <i>Condition of Protestants in Turkey.</i>	1850, 1851.. 221
.. .. with <i>Great Britain, &c.</i> , respecting <i>Refugees from Hungary</i> within the <i>Turkish Dominions.</i>	1851.. 121
FIRMAN of the <i>Porte</i> , in favour of <i>Protestant Rayas.</i>	October, 1850.. 226

TUSCANY.

TREATIES, &c. with FOREIGN POWERS, viz. :—with	
.. <i>Great Britain. Treaty. Commerce and Navigation.</i>	
Florence, 5th April, 1847..	942
.. <i>Declaration. Malta and Gibraltar.</i>	
Florence, 12th June, 1847 .	947

UNITED STATES.

CORRESPONDENCE with <i>Great Britain</i> , respecting <i>Central America.</i>	1849—1851.. 953
.. .. with <i>Great Britain</i> , relative to the <i>Slave Trade.</i>	1850, 1851.. 309

UNITED STATES—*continued.*

	Page
MESSAGE of the <i>President</i> , on the <i>Opening of Congress</i> .	
Washington, 2nd December, 1851..	160
PROTOCOL of <i>Conference</i> with <i>Nicaragua</i> , for the <i>temporary</i> <i>Cession of the Island of Tigre to the United States.</i>	
Leon, 28th September, 1849..	998
REPORT of the <i>Secretary of War</i> .	
Washington, 29th November, 1851..	188
.. of the <i>Secretary of the Navy</i> .	
Washington, 29th November, 1851..	201
TREATIES, &c. with FOREIGN POWERS, viz.:—with	
.. <i>Costa Rica</i> . Treaty. <i>Friendship, Commerce, and</i> <i>Navigation.</i>	
Washington, 10th July, 1851..	1090
.. <i>Nicaragua</i> . Convention. <i>Pacific Canal</i> [not ratified].	
Guatemala, 21st June, 1849..	969
..Do... Treaty. <i>Amity, Commerce, and</i> <i>Navigation</i> [not ratified].	
Leon, 3rd September, 1849..	1052
.. <i>Peru</i> . Treaty. <i>Friendship, Commerce, and</i> <i>Navigation.</i> Lima, 26th July, 1851..	1095
.. <i>Portugal</i> . Convention. <i>Claims.</i>	
Washington, 26th February, 1851..	1088

URUGUAY.

TREATIES, &c. with FOREIGN POWERS, viz.:—with	
.. <i>Brazil and Entre Rios</i> . Convention. <i>Offensive</i> <i>and Defensive Alliance.</i>	
Monte Video, 29th May, 1851..	1135
.. <i>Brazil</i> . Treaty. <i>Alliance.</i>	
Rio de Janeiro, 12th October, 1851..	1141
..Do... Treaty. <i>Commerce and Navigation.</i>	
Rio de Janeiro, 12th October, 1851..	1145
..Do... Treaty. <i>Limits.</i>	
Rio de Janeiro, 12th October, 1851..	1151
..Do... Treaty. <i>Pecuniary Assistance to Uru-</i> <i>guay.</i>	
Rio de Janeiro, 12th October, 1851..	1154
..Do... Treaty. <i>Surrender of Criminals, De-</i> <i>serters, and Runaway Slaves.</i>	
Rio de Janeiro, 12th October, 1851..	1158

VENEZUELA.

	Page
ACT of Congress of Colombia, declaring <i>Slave Trade Piracy</i> . Bogotá, 14th February, 1825..	1162
CORRESPONDENCE with Great Britain, relative to the <i>Slave Trade</i> . .. 1850, 1851..	309

WALDECK AND PYRMONT.

TREATIES, &c. with FOREIGN POWERS, viz. :—with	
.. Netherlands, &c. Treaty. <i>Commerce and Navigation</i> . The Hague, 31st December, 1851..	1109
.. Sardinia, &c. Additional Convention. <i>Commerce and Navigation</i> . Turin, 20th May, 1851..	1194

WIRTEMBERG.

TREATIES, &c. with FOREIGN POWERS, viz. :—with	
.. Netherlands, &c. Treaty. <i>Commerce and Navigation</i> . The Hague, 31st December, 1851..	1109
.. Sardinia, &c. Additional Convention. <i>Commerce and Navigation</i> . Turin, 20th May, 1851..	1194

ZOLLVEREIN.

TREATIES, &c. with FOREIGN POWERS, viz. :—with	
.. Netherlands, &c. Treaty. <i>Commerce and Navigation</i> . The Hague, 31st December, 1851..	1109
.. Sardinia, &c. Additional Convention. <i>Commerce and Navigation</i> . Turin, 20th May, 1851..	1194

BRITISH AND FOREIGN

State Papers.

SPEECH of the Queen, on the Opening of the British Parliament.—Westminster, February 4, 1851.

My Lords and Gentlemen,

It is with great satisfaction that I again meet my Parliament, and resort to your advice and assistance in the consideration of measures which affect the welfare of our country.

I continue to maintain the relations of peace and amity with Foreign Powers. It has been my endeavour to induce the States of *Germany* to carry into full effect the provisions of the Treaty with *Denmark*, which was concluded at *Berlin* in the month of July of last year. I am much gratified in being able to inform you that the *German* Confederation and the Government of *Denmark* are now engaged in fulfilling the stipulations of that Treaty, and thereby putting an end to hostilities which at one time appeared full of danger to the peace of *Europe*.

I trust that the affairs of *Germany* may be arranged by mutual agreement in such a manner as to preserve the strength of the Confederation and to maintain the freedom of its separate States.

I have concluded with the King of *Sardinia* Articles additional to the Treaty of September, 1841, and I have directed that those Articles shall be laid before you.

The Government of *Brazil* has taken new, and, I hope, efficient, measures for the suppression of the atrocious traffic in slaves.

Gentlemen of the House of Commons,

I have directed the estimates of the year to be prepared and laid before you without delay. They have been framed with a due regard to economy and to the necessities of the public service.

My Lords and Gentlemen,

Notwithstanding the large reductions of taxation which have been effected in late years, the receipts of the revenue have been satisfactory.

The state of the commerce and manufactures of the United Kingdom has been such as to afford general employment to the labouring classes.

I have to lament, however, the difficulties which are still felt by that important body among my people who are owners and occupiers of land.

But it is my confident hope that the prosperous condition of other classes of my subjects will have a favourable effect in diminishing those difficulties, and promoting the interests of Agriculture.

The recent assumption of certain ecclesiastical titles conferred by a Foreign Power has excited strong feelings in this country, and large bodies of my subjects have presented addresses to me, expressing attachment to the Throne, and praying that such assumptions should be resisted. I have assured them of my resolution to maintain the rights of my crown, and the independence of the nation, against all encroachment, from whatever quarter it may proceed. I have at the same time expressed my earnest desire and firm determination, under God's blessing, to maintain unimpaired the religious liberty which is so justly prized by the people of this country.

It will be for you to consider the measure which will be laid before you on this subject.

The administration of justice in the several departments of law and equity will, no doubt, receive the serious attention of Parliament; and I feel confident that the measures which may be submitted to you with a view of improving that administration will be discussed with that mature deliberation which important changes in the highest Courts of Judicature in the Kingdom imperatively demand.

A measure will be laid before you providing for the establishment of a system of registration of deeds and instruments relating to the transfer of property. This measure is the result of inquiries which I have caused to be made into the practicability of adopting a system of registration calculated to give security to titles, to diminish the causes of litigation to which they have hitherto been liable, and to reduce the cost of transfers.

To combine the progress of improvement with the stability of our institutions will, I am confident, be your constant care. We may esteem ourselves fortunate that we can pursue without disturbance the course of calm and peaceable amelioration; and we have every cause to be thankful to Almighty God for the measure of tranquillity and happiness which has been vouchsafed to us.

SPEECH of The Queen, on the Closing of the British Parliament.—Westminster, August 8, 1851.

My Lords and Gentlemen,

I AM glad to be able to release you from your attendance in Parliament, and I thank you for the diligence with which you have performed your laborious duties.

I continue to maintain the most friendly relations with foreign Powers.

I am happy to be able to congratulate you on the very con-

siderable diminution which has taken place in the *African* and *Brazilian* Slave Trade. The exertions of my squadrons on the coasts of *Africa* and *Brazil*, assisted by the vigilance of the cruizers of *France* and of *The United States*, and aided by the co-operation of the *Brazilian* Government, have mainly contributed to this result.

Gentlemen of the House of Commons,

I thank you for the readiness with which you have granted the supplies necessary for the service of the year.

My Lords and Gentlemen,

It is satisfactory to observe that, notwithstanding very large reductions of taxes, the revenue for the past year considerably exceeded the public expenditure for the same period.

I am rejoiced to find that you have thereby been enabled to relieve my people from an impost which restricted the enjoyment of light and air in their dwellings. I trust that this enactment, with others to which your attention has been and will be directed, will contribute to the health and comfort of my subjects.

I thank you for the assiduity with which you have applied yourselves to the consideration of a measure framed for the purpose of checking the undue assumption of ecclesiastical titles conferred by a foreign Power.

It gives me the highest satisfaction to find that, while repelling unfounded claims, you have maintained inviolate the great principles of religious liberty so happily established among us.

The attention you have bestowed on the administration of justice in the Courts of Law and Equity will, I trust, prove beneficial, and lead to further improvements.

I have willingly given my consent to a Bill relating to the administration of the Land Revenues of the Crown, which will, I hope, conduce to the better management of that department, and, at the same time, tend to the promotion of works of public utility.

It has been very gratifying to me, on an occasion which has brought many foreigners to this country, to observe the spirit of kindness and goodwill which so generally prevailed.

It is my anxious desire to promote among nations the cultivation of all those arts which are fostered by peace, and which in their turn contribute to maintain the peace of the world.

In closing the present session, it is with feelings of gratitude to Almighty God that I acknowledge the general spirit of loyalty and willing obedience to the law which animates my people. Such a spirit is the best security at once for the progress and stability of our free and happy institutions.

TREATY of Commerce and Navigation between Great Britain and Belgium.—Signed at London, October 27, 1851.

[Ratifications exchanged at London, April 7, 1852.]

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Majesty the King of the Belgians, being equally animated by the desire to facilitate and extend the relations of commerce and navigation between their respective dominions; and being desirous, with a view to so beneficial an object, to remove, as far as may be possible at the present moment, the obstacles which impede the commercial relations between the 2 countries, have resolved to conclude a Treaty for that purpose, and have named as their Plenipotentiaries, that is to say :

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Right Honourable Henry John Viscount Palmerston, Baron Temple, a Peer of Ireland, a Member of Her Britannic Majesty's Most Honourable Privy Council, a Member of Parliament, Knight Grand Cross of the Most Honourable Order of the Bath, and Her Britannic Majesty's Principal Secretary of State for Foreign Affairs; and the Right Honourable Henry Labouchere, a Member of Her Britannic Majesty's Most Honourable Privy Council, a Member of Parliament, and President of the Committee of Privy Council for Affairs of Trade and Foreign Plantations;

SA Majesté la Reine du Royaume Uni de la Grande Bretagne et d'Irlande, et Sa Majesté le Roi des Belges, animés d'un égal désir de faciliter et d'étendre les rapports de commerce et de navigation entre leurs Etats respectifs; et voulant, pour arriver à un but si utile, faire disparaître, autant qu'il est immédiatement possible, les obstacles qui entravent les relations commerciales entre les 2 pays, ont résolu de conclure un Traité à cet effet, et ont nommé pour leurs Plénipotentiaires, savoir :

Sa Majesté la Reine du Royaume Uni de la Grande Bretagne et d'Irlande, le Très Honorable Henri Jean Vicomte Palmerston, Baron Temple, Pair d'Irlande, Membre du Très Honorable Conseil Privé de Sa Majesté Britannique, Membre du Parlement, Chevalier Grand-Croix du Très Honorable Ordre du Bain, et Principal Secrétaire d'Etat de Sa Majesté Britannique pour les Affaires Etrangères; et le Très Honorable Henri Labouchere, Membre du Très Honorable Conseil Privé de Sa Majesté Britannique, Membre du Parlement, et Président du Comité du Conseil Privé pour les Affaires de Commerce et des Colonies ;

And His Majesty the King of the Belgians, the Sieur Sylvain Van de Weyer, His Envoy Extraordinary and Minister Plenipotentiary to Her Britannic Majesty, decorated with the Iron Cross, Commander of the Order of Leopold, Grand Cross of the Order of Charles III of Spain, of the Order of the Ernestine Branch of Saxony, of the Tower and Sword, of St. Maurice and St. Lazarus, Commander of the Legion of Honour, &c. ;

Who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon the following Articles :

ART. I. There shall be reciprocal liberty of commerce between all the dominions of the 2 High Contracting Parties ; and the subjects of each of them shall, throughout the whole extent of the territories of the other, enjoy the same rights, privileges, liberties, favours, immunities, and exemptions, in matters of commerce, which are or may be enjoyed by native subjects.

II. In regard to the duties depending on the nationality of vessels, it is agreed, that goods of every kind, without distinction as to origin, imported into Belgium directly from the United Kingdom of Great Britain and Ireland, its colonies and possessions, under the British flag, shall enjoy the same exemptions, repayments, bounties, or other favours, as if imported under the Belgian flag, and shall not pay respectively any other duties, nor

Et Sa Majesté le Roi des Belges, le Sieur Sylvain Van de Weyer, Son Envoyé Extraordinaire et Ministre Plénipotentiaire près Sa Majesté Britannique, décoré de la Croix de Fer, Commandeur de l'Ordre de Léopold, Grand-Croix de l'Ordre de Charles III d'Espagne, de l'Ordre de la Branche Ernestine de Saxe, de la Tour et de l'Epée, de St. Maurice et St. Lazare, Commandeur de la Légion d'Honneur, &c. ;

Lesquels, après s'être réciproquement communiqué leurs pleins-pouvoirs respectifs, trouvés en bonne et due forme, sont convenus des Articles suivans :

ART. I. Il y aura liberté réciproque de commerce entre tous les Etats des 2 Hautes Parties Contractantes ; et les sujets de chacune d'elles, dans toute l'étendue des territoires de l'autre, jouiront des mêmes droits, privilèges, libertés, faveurs, immunités, et exemptions, en matière de commerce, dont jouissent ou jouiront les nationaux.

II. En ce qui concerne le droit de pavillon, il est convenu que les marchandises de toute espèce, sans distinction d'origine, importées directement en Belgique du Royaume Uni de la Grande Bretagne et d'Irlande, de ses colonies et possessions, sous pavillon Britannique, jouiront des mêmes exemptions, restitutions, primes, ou autres faveurs, ne payeront respectivement d'autres droits, et ne seront assujetties à d'autres formalités,

be subject to any other formalities, than if imported under the Belgian flag; except in the case which is provided for in Article V hereinafter.

III. In regard to the duties depending upon the place from whence vessels have come, it is agreed that goods of every kind, without distinction as to origin, imported into Belgium directly from the United Kingdom of Great Britain and Ireland, its colonies and possessions, under the British flag, shall be admitted at the same rate of duty as if imported under the Belgian flag from the place or in the manner most privileged under the General Tariff of Belgium; except in regard to the goods and in the cases specified in Article V hereinafter.

It is understood that the goods to which the present and the preceding Article apply, must have been actually laden in the ports of the United Kingdom of Great Britain and Ireland, or of its colonies and possessions.

IV. Goods of every kind, without distinction as to origin, imported into Belgium from elsewhere than the United Kingdom of Great Britain and Ireland, its colonies and possessions, under the British flag, shall enjoy the same exemptions, bounties, or other favours, as if imported under the Belgian flag, and shall not be subject to any other formalities, nor pay any other duties, than if imported under the Belgian flag; except in

que si l'importation avait lieu sous pavillon Belge; sauf dans le cas indiqué dans l'Article V ci-après.

III. En ce qui concerne le droit de provenance, il est convenu que les marchandises de toute espèce, sans distinction d'origine, importées directement en Belgique du Royaume Uni de la Grande Bretagne et d'Irlande, de ses colonies et possessions, sous pavillon Britannique, seront admises aux droits des importations effectuées sous pavillon Belge, du lieu ou selon le mode le plus privilégié par le Tarif Général de la Belgique; sauf pour les marchandises et dans les cas indiqués dans l'Article V ci-après.

Il est entendu que les marchandises auxquelles s'applique l'Article actuel et le précédent, devront avoir été réellement chargées dans les ports du Royaume Uni de la Grande Bretagne et d'Irlande, ou de ses colonies et possessions.

IV. Toutes les marchandises, sans distinction d'origine, importées en Belgique d'ailleurs que du Royaume Uni de la Grande Bretagne et d'Irlande, de ses colonies et possessions, sous pavillon Britannique, jouiront des mêmes exemptions, primes, ou autres faveurs, ne seront pas assujetties à d'autres formalités, et ne payeront d'autres droits, que si l'importation avait lieu sous pavillon Belge; sauf pour les marchandises et dans les cas

regard to the goods and in the cases specified in Article V hereinafter.

V. The stipulations of the 3 preceding Articles shall not be applicable to the goods and in the cases hereinafter specified, that is to say:

1. So far as relates to the stipulations of Articles III and IV,

In regard to furniture-woods and dye-woods, rice, sugar, coffee, tobacco, cotton, only when the importation shall take place under the Belgian flag directly from a transatlantic country.

And as regards fruits, olive oil, raw sulphur, only when the importation shall take place under the Belgian flag directly from the place of production.

2. So far as relates to the stipulations of Articles II, III, and IV,

In regard to salt.

But with regard to salt, His Majesty the King of the Belgians engages:

1st. To reduce immediately by two-thirds the duty actually levied on raw salt imported from the United Kingdom of Great Britain and Ireland, under the British flag.

2nd. To assimilate spring salt imported from the United Kingdom of Great Britain and Ireland into Belgium to raw salt, as regards duty of customs, duty of excise, exemption from excise in case it is destined for manufactories and warehousing. In order to enjoy this advantage, spring-salt must be accompanied by a certificate delivered by a Belgian

indiqués dans l'Article V ci-après.

V. Il sera dérogé aux dispositions des 3 Articles précédens pour les marchandises et dans les cas ci-après indiqués, savoir:

1°. Quant aux dispositions des Articles III et IV,

Pour les Bois d'Ebénisterie et de teinture, le riz, le sucre, le café, le tabac, le coton, seulement lorsque l'importation aura lieu directement d'un pays transatlantique, sous pavillon Belge.

Et pour les fruits, l'huile d'olive, le soufre brut, seulement lorsque l'importation aura lieu directement d'un lieu de production, sous pavillon Belge.

2°. Quant aux dispositions des Articles II, III, et IV,

Pour le sel.

Mais, quant au sel, Sa Majesté le Roi des Belges s'engage:

1°. A réduire immédiatement des 2 tiers le droit qui frappe actuellement le sel brut importé du Royaume Uni de la Grande Bretagne et d'Irlande, sous pavillon Britannique.

2°. A assimiler le sel de source importé du Royaume Uni de la Grande Bretagne et d'Irlande en Belgique au sel brut, pour ce qui concerne le droit de douane, le droit d'accise, l'exemption d'accise en cas de destination aux fabriques, et l'entreposage. Pour jouir de cette faveur, le sel de source devra être accompagné d'un certificat délivré par un

Consular Agent, proving its origin from an English mineral spring.

3rd. To take off the prohibition which applies to the transit through the Belgian territory of salt, imported under the British or the Belgian flag.

VI. Goods imported from a transatlantic country, under the British flag, shall pay the same duties, whether they shall have been laden in a transatlantic warehousing port, or in the transatlantic country of production.

VII. The repayment, by Belgium, of the duty levied by the Government of the Netherlands on the navigation of the Scheldt, under the 3rd paragraph of Article IX of the Treaty of the 19th April, 1839,* is guaranteed to British vessels.

VIII. Goods of every kind, the importation of which into the ports of the United Kingdom of Great Britain and Ireland, its colonies and possessions, is or shall be legally permitted in British vessels, may likewise be imported in Belgian vessels, without being subject to any other or higher duties, of whatever denomination, than if such goods were imported in national vessels.

IX. In all that regards exportations, without distinction as to place from whence arriving or as to destination, and in all that regards the bounties, facili-

Agent Consulaire Belge, et constatant son origine de source minérale Anglaise.

3°. A lever la prohibition qui frappe le transit par le territoire Belge, du sel importé sous pavillon Britannique ou Belge.

VI. Les marchandises importées d'un pays transatlantique, sous pavillon Britannique, acquitteront les mêmes droits, qu'elles aient été chargées dans un entrepôt transatlantique, ou dans le pays de production transatlantique.

VII. Le remboursement, par la Belgique, du droit perçu sur la navigation de l'Escaut par le Gouvernement des Pays-Bas, en vertu du paragraphe 3 de l'Article IX du Traité du 19 Avril, 1839,* est garanti aux navires Britanniques.

VIII. Les marchandises de toute espèce, dont l'importation dans les ports du Royaume Uni de la Grande Bretagne et d'Irlande, ses colonies et possessions, est ou sera légalement permise sur des bâtiments Britanniques, pourront également y être importées sur des bâtiments Belges, sans être assujetties à d'autres ou à de plus forts droits, de quelque dénomination que ce soit, que si les mêmes marchandises étaient importées sur des bâtiments nationaux.

IX. Pour tout ce qui a trait aux exportations, sans distinction de provenance ou de destination, et pour tout ce qui regarde les primes, facilités, et *drawbacks*,

ties, and drawbacks which the legislation of the 2 countries has established, or may hereafter establish, the 2 High Contracting Parties reciprocally insure to each other national treatment.

X. Articles of every kind arriving from Great Britain, or forwarded to that country, and crossing Belgium by the railroads of the State, shall be exempt from transit duty; and the prohibition which in Belgium still applies to the transit of some of those articles, is removed.

The only exceptions to this general rule are in regard to gunpowder and iron; and in regard to the transmission to France of linen thread and tissues, and of coal.

It is understood that the senders will have to conform, generally, and without distinction of nationality, to the regulations which are or may be prescribed by the Belgian Administration for the prevention of fraud upon the excise.

Belgian commerce shall enjoy in the United Kingdom of Great Britain and Ireland, with regard to transit, the treatment of the most favoured nation.

XI. It is expressly understood that the preceding Articles are not applicable to the coasting trade, which each Contracting Party reserves to itself, and will regulate according to its own laws.

Neither are they applicable to the exemptions from duty, nor to the bounties which may be

que la législation des 2 pays a établis, ou pourrait établir par la suite, les 2 Hautes Parties Contractantes s'assurent réciproquement le traitement national.

X. Les objets de toute nature venant de la Grande Bretagne, ou expédiés vers ce pays, et traversant la Belgique par les chemins-de-fer de l'Etat, seront exempts de tout droit de transit; et la prohibition qui frappe encore en Belgique le transit de quelques-uns de ces articles, est levée.

Il n'est fait exception à cette règle générale que pour la poudre à tirer et les fers; et pour l'expédition vers la France, des fils et tissus de lin, et de la houille.

Il est entendu que les expéditeurs auront à se conformer, généralement, et sans distinction de nationalité, aux mesures prescrites, ou à prescrire, par l'Administration Belge, pour empêcher la fraude de l'accise.

Le commerce Belge jouira, pour le transit dans le Royaume Uni de la Grande Bretagne et d'Irlande, du traitement de la nation la plus favorisée.

XI. Il est expressément entendu que les Articles précédents ne sont pas applicables au commerce de cabotage, que chaque Partie Contractante se réserve à elle-même, et règlera d'après ses propres lois.

Il en est de même pour ce qui concerne les exemptions de droits et les primes qui pourraient dans

granted in the dominions of the High Contracting Parties to national fishery, carried on according to the regulations of each country, With this exception, the 2 flags shall be assimilated in regard to the importation of fish of all kinds.

XII. No duties of tonnage, harbour, light-house, pilotage, quarantine, or other similar or corresponding duties, of whatever nature or under whatever denomination, levied for the profit or in the name of the Government, public functionaries, communes, corporations, or establishments of whatever kind, shall be imposed in the ports of either country, upon the vessels of the other country, from whatever port or place arriving, which shall not be equally imposed in the like cases on national vessels.

XIII. All vessels which according to the laws of Great Britain are to be deemed British vessels, and all vessels which according to the laws of Belgium are to be deemed Belgian vessels, shall, for the purposes of this Treaty, be deemed British vessels, and Belgian vessels respectively.

XIV. In all that regards the stationing, the loading, and unloading of vessels in the ports, basins, docks, roadsteads, harbours, or rivers of the 2 countries, no privilege shall be granted to national vessels which shall not be equally granted to vessels of the other country : the intention of the Contracting

les Etats des Hautes Parties Contractantes, être accordées à à la pêche nationale exercée selon les règlements de chaque pays. Hors ce cas, néanmoins, les 2 pavillons seront assimilés pour l'importation des poissons de toute espèce.

XII. Aucun droit de tonnage, de port, de phare, de pilotage, de quarantaine, ou autres droits semblables ou équivalents, de quelque nature, ou sous quelque dénomination que ce soit, perçu au profit ou au nom du Gouvernement, des fonctionnaires publics, des communes, corporations, ou établissements, quelconques, ne sera imposé dans les ports de chacun des 2 pays, sur les navires de l'autre nation, arrivant d'un port ou endroit quelconque, qui ne soit pas également imposé en pareil cas sur des navires nationaux.

XIII. Tous les navires qui d'après les lois de la Grande Bretagne sont considérés comme navires Britanniques, et tous les navires qui d'après les lois de la Belgique sont considérés comme navires Belges, seront, quant aux effets du présent Traité, déclarés respectivement navires Britanniques et navires Belges.

XIV. En tout ce qui concerne le placement des navires, leur chargement et déchargement dans les ports, bassins, docks, rades, havres, ou rivières des 2 Etats, il ne sera accordé aucun privilège aux navires nationaux, qui ne le soit également à ceux de l'autre Etat ; la volonté des Parties Contractantes étant que,

Parties being, that in this respect also, the respective vessels shall be treated on the footing of perfect of reciprocity.

XV. The vessels of each of the 2 countries shall be at liberty either to discharge the whole of their cargo at one of the ports of the dominions of the other Contracting Party, or to discharge part of their cargo at one port, and then to proceed with the remainder to other ports of the said dominions, according as the captain, proprietor, or other person duly authorized to act in the port as agent for the vessel and cargo, shall consider advisable.

XVI. If any vessel of war or merchant vessel of either of the 2 countries should be wrecked upon the coasts of the other, such vessel, or any parts thereof, and all furniture and appurtenances belonging thereunto, as well as all goods and merchandize which shall be saved therefrom, or the proceeds thereof, if sold, shall be faithfully restored to the proprietors or to their agents, on being claimed by them. In case there should be no such proprietors or agents upon the spot, the said articles and goods, or the proceeds thereof, as well as all the papers found on board of any such vessel, shall be delivered to the British or Belgian Consul in whose district the wreck shall have taken place; and such Consul, proprietors or agents, shall not be called upon to pay any charge but the expenses incurred in the preser-

sous ce rapport aussi, les bâtimens respectifs soient traités sur le pied d'une parfaite égalité.

XV. Les bâtimens de l'un des 2 Etats pourront décharger en totalité leur cargaison dans un des ports des Etats de l'autre Partie Contractante, ou décharger une partie de leur cargaison dans un port, et se rendre ensuite, avec le reste, dans les autres ports du même Etat, selon que le capitaine, le propriétaire, ou telle autre personne qui serait dûment autorisée dans le port à agir dans l'intérêt du bâtiment ou de la cargaison, le jugera convenable.

XVI. S'il arrivait que quelque vaisseau de guerre ou navire marchand de l'un des 2 états fût naufragé sur les côtes de l'autre, ces bâtimens, ou ses parties ou débris, ses agrès, et tous les objets qui y appartiendront, ainsi que tous les effets et marchandises qui en auront été sauvés, ou le produit de leur vente, en seront fidèlement rendus aux propriétaires ou à leurs ayant-droits, sur leur réclamation. Dans le cas où ceux-ci se trouveraient absens, les dits objets, marchandises, ou leurs produits, seront consignés, ainsi que tous les papiers trouvés à bord de ce bâtiment, au Consul Britannique ou Belge, dans le district duquel le naufrage aura eu lieu; et il ne sera exigé, soit du Consul, soit des propriétaires ou ayant-droits, que le paiement des dépenses faites pour la conservation de la propriété, et la taxe de sauvetage qui serait égale-

vation of the property, and the rate of salvage which would be equally payable in the like case of a wreck of a national vessel. The goods and merchandize saved from the wreck shall not be subject to the establishment duties, unless cleared for consumption.

XVII. Each of the High Contracting Parties shall have the right to name Consuls for the protection of trade in the dominions and territories of the other Party; and the Consuls who may be so appointed shall enjoy, within the territories of each party, all the privileges, exemptions, and immunities which are or may be granted in those territories to agents of the same rank and character appointed by or authorized to act for the Government of the most favoured nation.

Before any Consul can act as such, he must, however, in the usual form be approved and admitted by the Government of the country to which he is sent; and each of the 2 High Contracting Parties shall have the right to except from the residence of Consuls, any particular places which either of them may judge proper to be excepted.

XVIII. The subjects of either of the 2 High Contracting Parties residing in the dominions of the other, shall have the same liberty as natives to manage their own affairs themselves, or to commit them to the management of any other persons, as brokers, factors, agents, or interpreters; they shall not be restrained in

ment payée en pareille circonstance par un bâtiment national. Les marchandises et effets sauvés du naufrage ne seront assujettis aux droits établis, qu'autant qu'ils seraient déclarés pour la consommation.

XVII. Chacune des Hautes Parties Contractantes aura le droit de nommer des Consuls pour la protection du commerce dans les états ou territoires de l'autre partie; et les Consuls qui seront nommés ainsi, jouiront, dans les territoires de chaque partie, de tous les privilèges, exemptions, et immunités qui sont ou pourront être accordés dans ces états aux agents du même rang et caractère, nommés ou autorisés par le Gouvernement de la nation plus favorisée.

Avant que quelque Consul puisse agir comme tel, il devra être approuvé et admis, dans les formes usitées, par le Gouvernement auprès duquel il est envoyé; et chacune des Hautes Parties Contractantes aura la faculté d'excepter de la résidence des Consuls, tels endroits spéciaux que chacune d'elles pourra juger à propos d'excepter.

XVIII. Les sujets de l'une des Hautes Parties Contractantes résidant dans les états de l'autre, seront respectivement libres de régler, comme les nationaux, leurs affaires par eux-mêmes, ou de les confier aux soins de toutes autres personnes, telles que courtiers, facteurs, agents, ou interprètes; ils ne pourront être contraints

their choice, and shall not be obliged to pay any salary or remuneration to any person whom they shall not choose to employ in those capacities; buyers and sellers being at perfect liberty to bargain together, and to fix the price of any goods or merchandize imported or destined for exportation, on condition of observing the regulations and the customs laws of the country.

XIX. The present Treaty shall be in force for 7 years from the 1st day of January, 1852;* and further, until the end of 12 months after either of the 2 Contracting Parties shall have given notice to the other of its intention to terminate the same; each of the Contracting Parties reserving to itself the right of giving such notice to the other at the end of the said term of 7 years, or at any subsequent time.

XX. The present Treaty shall be ratified, and the ratifications shall be exchanged at London before the 1st day of January, 1852.

In witness whereof, the respective Plenipotentiaries have signed the same, and have affixed thereto the seals of their arms.

Done at London, the 27th day of October, in the year of our Lord, 1851.

(L.S.) PALMERSTON.

(L.S.) HENRY LABOUCHERE.

(L.S.) SYLVAIN VAN DE WEYER.

dans leur choix, et ils ne seront tenus à payer aucun salaire, ni aucune rétribution à ceux qu'ils n'auront pas jugé à propos d'employer à cet effet: étant absolument facultatif aux vendeurs et acheteurs de contracter ensemble leur marché, et de fixer le prix de toutes denrées ou marchandises importées ou destinées à l'exportation, sous la condition de se conformer aux règlements et aux lois des douanes du pays.

XIX. Le présent Traité sera en vigueur pendant 7 ans à compter du 1er Janvier, 1852;* et au delà de ce terme, jusqu'à l'expiration de 12 mois après que l'une des 2 Parties Contractantes aura annoncé à l'autre son intention de le faire cesser; chacune des Parties Contractantes se réservant le droit de faire à l'autre une telle déclaration au bout des 7 années susmentionnées, ou à toute date ultérieure.

XX. Le présent Traité sera ratifié, et les ratifications en seront échangées à Londres avant le 1er Janvier, 1852.

En foi de quoi, les Plénipotentiaires respectifs l'ont signé, et y ont apposé les cachets de leurs armes.

Fait à Londres, le 27 Octobre, de l'an de Grâce, 1851.

(L.S.) PALMERSTON.

(L.S.) HENRY LABOUCHERE.

(L.S.) SYLVAIN VAN DE WEYER.

* Altered to April 10, 1852, by the annexed Declaration. See page 15.

ADDITIONAL ARTICLE.

The Ionian Islands being under the protection of Her Britannic Majesty, the subjects and vessels of those islands shall enjoy, in the dominions of His Majesty the King of the Belgians, all the advantages which are granted to the subjects and vessels of Great Britain by the Treaty of Commerce and Navigation signed this day, between Her Majesty the Queen of the United Kingdom of Great Britain and Ireland and His Majesty the King of the Belgians, as soon as the Government of the Ionian Islands shall have agreed to grant to the subjects and vessels of His Majesty the King of the Belgians the same advantages which are granted in those islands to the subjects and vessels of Her Britannic Majesty: it being understood, that in order to prevent abuses, every Ionian vessel claiming the benefits of that Treaty shall be furnished with a patent signed by the Lord High Commissioner of Her Britannic Majesty, or by his representative.

The present Additional Article shall have the same force and effect as if it had been inserted, word for word, in the Treaty of Commerce and Navigation signed this day. It shall be ratified, and the ratifications shall be exchanged at the same time as the ratifications of the Treaty.

In witness whereof, the respective Plenipotentiaries have signed the same, and have affixed thereto the seals of their arms.

ARTICLE ADDITIONNEL.

Les Iles Ioniennes se trouvant sous la protection de Sa Majesté Britannique, les sujets et les navires de ces îles jouiront, dans les états de Sa Majesté le Roi des Belges, de tous les avantages qui sont accordés aux sujets et aux navires de la Grande Bretagne, par le Traité de Commerce et de Navigation conclu en date d'aujourd'hui entre Sa Majesté la Reine du Royaume Uni de la Grande Bretagne et d'Irlande et Sa Majesté le Roi des Belges, aussitôt que le Gouvernement des Iles Ioniennes sera convenu d'accorder aux sujets et aux navires de Sa Majesté le Roi des Belges les mêmes avantages qu'il accorde dans ces îles aux sujets et aux navires de Sa Majesté Britannique: bien entendu toutefois, que pour prévenir des abus, tout navire Ionien qui sera dans le cas de réclamer les bienfaits de ce Traité, sera muni d'une patente signée par le Lord Haut Commissaire de Sa Majesté Britannique, ou par celui qui le représente.

Le présent Article Additionnel aura la même force et valeur que s'il était inséré, mot à mot, dans le Traité de Commerce et de Navigation signé aujourd'hui. Il sera ratifié, et les ratifications en seront échangées en même tems que celles du Traité même.

En foi de quoi, les Plénipotentiaires respectifs l'ont signé, et y ont apposé les cachets de leurs armes.

Done at London, the 27th day
of October, in the year of our
Lord 1851.

(L.S.) PALMERSTON.

(L.S.) HENRY LABOU-
CHERE.

(L.S.) SYLVAIN VAN
DE WEYER.

Fait à Londres, le 27 Octobre,
de l'an de Grâce 1851.

(L.S.) PALMERSTON.

(L.S.) HENRY LABOU-
CHERE.

(L.S.) SYLVAIN VAN
DE WEYER.

Declaration made on the exchange of the Ratifications of the preceding Treaty.

IN proceeding to the exchange of the ratifications of the Treaty of Commerce and Navigation between Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Majesty the King of the Belgians, which was signed at London on the 27th of October, 1851, the Undersigned, Plenipotentiaries of Her Britannic Majesty and of His Majesty the King of the Belgians, have received the commands of their respective Sovereigns to declare as follows, with regard to the stipulations respecting salt, which are contained in Article V of the said Treaty :

1. British spring salt shall be considered as raw salt, on importation into Belgium, only in those cases in which the legislation of Belgium permits the granting of exemption from excise. Those cases, in the present state of things, are :

a. Destination to manufactories of chemical productions.

b. Destination to the manuring of land.

c. Destination to the feeding of cattle.

d. Destination to the curing of fish.

En procédant à l'échange des ratifications du Traité de Commerce et de Navigation entre Sa Majesté la Reine du Royaume Uni de la Grande Bretagne et d'Irlande, et Sa Majesté le Roi des Belges, qui a été signé à Londres le 27 Octobre, 1851, les Soussignés, Plénipotentiaires de Sa Majesté Britannique et de Sa Majesté le Roi des Belges, ont reçu les ordres de leurs Souverains respectifs de faire la déclaration suivante, par rapport aux stipulations concernant le sel, qui sont contenues dans l'Article V du dit Traité :

1. Le sel de source Britannique ne sera considéré comme sel brut, à l'importation en Belgique, que dans les cas où la législation Belge permet d'accorder l'exemption de l'accise. Ces cas sont, dans l'état actuel des choses :

a. La destination aux fabriques de produits chimiques.

b. La destination à l'amendement des terres.

c. La destination à l'alimentation du bétail.

d. La destination à la salaison du poisson.

2. If French salt refined in Belgium should, after the 10th of August, 1852, continue to enjoy a deduction of more than 7 per cent. from the general duty of excise, British salt refined in Belgium shall, from and after the same date, enjoy a deduction from the excise, which shall not be inferior by more than 7 per cent. to the deduction granted to French salt.

3. The British flag is assimilated to the French flag in regard to the transport of salt from France into Belgium.

4. There shall be annexed to the present Declaration an explanation of the conditions necessary in order that British salt may enjoy the advantages conceded to it, and of the formalities which must be complied with for the same purpose.

The Undersigned further declare that the Treaty of the 27th October, 1851, shall be carried into operation on either side, from and after the 10th of April, 1852.

The ratifications of the Treaty of the 27th of October, 1851, are exchanged subject to the stipulations of the present Declaration, which shall be considered as forming an integral part of the said Treaty.

Done at London, the 7th day of April, 1852.

(L.S.) MALMESBURY.

(L.S.) J. W. HENLEY.

(L.S.) SYLVAIN VAN
DE WEYER.

2. Si le sel Français raffiné en Belgique continue, après le 10 Août, 1852, à jouir d'une déduction de plus de 7 pour cent du droit général de l'accise, le sel Britannique raffiné en Belgique jouira, à partir de la même époque, d'une déduction de l'accise qui ne pourra être inférieure de plus de 7 pour cent à la déduction accordée au sel Français.

3. Le pavillon Britannique est assimilé au pavillon Français pour le transport du sel, de France en Belgique.

4. Il sera annexée à la présente Déclaration une explication des conditions nécessaires pour que le sel Britannique jouisse des avantages qui lui sont assurés, et des formalités qui devront être remplies dans le même but.

Les Soussignés déclarent en outre, que le Traité du 27 Octobre, 1851, sera mis à exécution de part et d'autre, à partir du 10 Avril, 1852.

Les ratifications du Traité du 27 Octobre, 1851, sont échangées sauf les stipulations de la présente Déclaration, qui seront considérées comme formant partie intégrante du dit Traité.

Fait à Londres, le 7 Avril, 1852.

(L.S.) MALMESBURY.

(L.S.) J. W. HENLEY.

(L.S.) SYLVAIN VAN
DE WEYER.

Explanation annexed to the Declaration of April 7, 1852.

IN order that British spring salt may enjoy the advantages which are conceded to it, it must be

1. Accompanied by a certificate of origin delivered by the Belgian Consular Agent residing in the locality of its production.

2. Declared, on its entry into Belgium, for one of those destinations which enjoy exemption from excise; and the formalities prescribed for such cases by the law of Belgium must be fulfilled. Those formalities shall be for British spring salt the same as for the raw salt of other countries destined for the same uses.

On compliance with these two conditions, British spring salt shall be admitted free of import duty, if imported under the Belgian flag, and at the duty of fr. 1.40 per 100 kilogrammes, if imported under the British flag; and it shall, moreover, be exempted from duty of excise.

Persons shall be at liberty to warehouse British spring salt on the same conditions which are imposed on the warehousing of raw salt properly so called; and in that case, the formalities above specified shall not be required until it is taken out of bond.

British spring salt forwarded in transit by the railways of the State in Belgium, either directly, or through the bonded warehouses of the country, and whether imported by British ships or

Explication annexée à la Déclaration du 7 Avril, 1852.

POUR jouir des avantages qui lui sont attribués, le sel de source Britannique devra

1. Etre accompagné d'un certificat d'origine délivré par l'Agent Consulaire Belge placé sur les lieux de production.

2. Etre déclaré, à l'entrée en Belgique, pour l'une des destinations qui jouissent de l'exemption de l'accise, en remplissant les formalités prescrites en pareils cas par la législation Belge; formalités qui seront pour le sel de source Britannique, les mêmes que pour les sels bruts d'autres pays destinés aux mêmes usages.

Moyennant ces deux conditions, le sel de source Britannique sera admis en franchise de droit d'entré s'il a été importé sous pavillon Belge, et au droit de fr. 1.40 en principal par 100 kilogrammes, s'il a été importé sous pavillon Britannique; et il sera, de plus, exempté du droit d'accise.

Les intéressés seront libres de mettre le sel de source Britannique en entrepôt, aux mêmes conditions qui sont imposées à l'entrepôt du sel brut proprement dit; et en ce cas, les formalités ci-dessus indiquées ne seront exigées qu'à la sortie d'entrepôt.

Le sel de source Britannique expédié en transit par les chemins de fer de l'Etat en Belgique, soit directement, soit en passant par les entrepôts du pays, et qu'il ait été importé par navires Britan-

by Belgian ships, shall be free from all duty of import, excise, or transit, as well as from all process of alteration; subject, however, to the measures to be taken by the Belgian Administration for the prevention of fraud; which measures shall be the same for British salt as for all other salt.

(L.S.) MALMESBURY.

(L.S.) J. W. HENLEY.

(L.S.) SYLVAIN VAN
DE WEYER.

niques ou par navires Belges, sera exempt de tout droit d'entrée, d'accise, ou de transit, ainsi que de toute dénaturation; sauf les mesures à prendre par l'Administration Belge pour prévenir la fraude; mesures qui seront les mêmes pour le sel Britannique que pour tout autre.

(L.S.) MALMESBURY.

(L.S.) J. W. HENLEY.

(L.S.) SYLVAIN VAN
DE WEYER.

TREATY of Friendship, Commerce, and Navigation, between Great Britain and the Equator.—Signed at Quito, May 3, 1851.

[Ratifications exchanged at Guayaquil, January 29, 1853.]

In the name of the Most Holy Trinity.

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, and the Government of the Republic of the Equator, being desirous to maintain, by means of a direct and specific Treaty, the relations of amity, commerce, and navigation which have subsisted up to the present time between the United Kingdom of Great Britain and Ireland and the said Republic, have for this purpose named as their Plenipotentiaries, that is to say:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Walter Cope, Esquire, Her Majesty's Consul in the Equator; and his Excellency the President of the Republic of

En nombre de la Santísima Trinidad.

EL Gobierno de la República del Ecuador, i Su Majestad la Reina del Reino Unido de la Gran Bretaña é Irlanda, deseando conservar, por medio de un Tratado espreso i directo, las relaciones de amistad, comercio, i navegacion que hasta el dia han existido entre la dicha República i el espresado Reino Unido de la Gran Bretaña é Irlanda, han nombrado para este efecto como sus Plenipotenciarios, á saber:

Su Excelencia el Presidente de la República del Ecuador, al Señor Dr. José Modesto Larrea, Secretario de Estado en el Despacho del Interior i Relaciones Exteriores; i Su Majestad

the Equator, Dr. José Modesto Larrea, Secretary of State for the Departments of the Interior and Foreign Affairs.

Who, after having communicated to each other their respective full powers, found to be in good and due form, have agreed upon and concluded the following Articles:

ART. I. There shall be perpetual, firm, and sincere amity between the dominions and subjects of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, her heirs and successors, and the Republic of the Equator and its citizens.

II. There shall be between all the territories of Her Britannic Majesty in Europe, and the territories of the Equator, a reciprocal freedom of commerce. The subjects and citizens of the 2 countries respectively, shall have liberty freely and securely to come, with their ships and cargoes, to all such places, ports, and rivers in the territories aforesaid, to which other foreigners are or may be permitted to come, to enter into the same, and to remain and reside in any part of the said territories respectively; also to hire and occupy houses and warehouses for the purposes of their commerce; and generally, the merchants and traders of each nation respectively shall enjoy the most complete protection and security for their commerce; subject always to the laws and statutes of the 2 countries respectively.

III. Her Majesty the Queen of the United Kingdom of Great

la Reina del Reino Unido de la Gran Bretaña é Irlanda, á Walter Cope, Escudero, Cónsul de Su Majestad en el Ecuador.

Quienes, despues de haberse comunicado sus respectivos plenos poderes, i hallados en buena i debida forma, han acordado i concluido los Artículos siguientes:

ART. I. Habrá perpetua, firme i sincera amistad entre la República i los ciudadanos del Ecuador, i los dominios i súbditos de Su Majestad la Reina del Reino Unido de la Gran Bretaña é Irlanda, sus herederos i sucesores.

II. Habrá entre todos los territorios del Ecuador i los territorios de Su Majestad Británica en Europa, una reciproca libertad de comercio. Los ciudadanos i súbditos de los 2 paises respectivamente tendrán libertad para ir libre i seguramente, con sus buques i cargamentos, á todos aquellos parages, puertos i rios en los territorios antedichos, á los cuales se permite ó se permitereirá otros extranjeros, entrar en los mismos, i permanecer i residir en cualquiera parte de los dichos territorios respectivamente; tambien para alquilar i ocupar casas i almacenes para los objetos de su comercio; i generalmente, los comerciantes i traficantes de cada nacion, respectivamente, gozarán la mas completa proteccion i seguridad para su comercio; estando siempre sujetos á las leyes i estatutos de los 2 paises respectivamente.

III. Su Majestad la Reina del Reino Unido de la Gran Bretaña

Britain and Ireland engages further, that the citizens of the Equator shall have the like liberty of commerce and navigation stipulated for in the preceding Article, in all her dominions situated out of Europe, to the full extent to which the same is permitted at present, or shall be permitted hereafter, to any other nation.

It being understood that the general liberty of commercial intercourse which is conceded by each Contracting Party to the other by the preceding Articles II and III, shall not apply, on either side, to the coasting trade of the 2 respective nations.

IV. It being the intention of the 2 High Contracting Parties to bind themselves by the 2 preceding Articles to treat each other on the footing of the most favoured nation, it is hereby agreed between them, that any favour, privilege, or immunity whatever, in matters of commerce and navigation, which either Contracting Party has actually granted, or may hereafter grant, to the subjects or citizens of any other State, shall be extended to the subjects or citizens of the other High Contracting Party, gratuitously, if the concession in favour of that other nation shall have been gratuitous; or in return for a compensation as nearly as possible of proportionate value and effect, to be adjusted by mutual agreement, if the concession shall have been conditional.

é Irlanda se obliga ademas, á que los ciudadanos del Ecuador tengan la misma libertad de comercio i navegacion que se ha estipulado en el Artículo anterior, en todos sus dominios situados fuera de Europa, en toda la estension en que se permite ahora, ó se permitiere despues, á cualquiera otra nacion.

Estando entendido que la libertad general de comunicacion comercial concedida por ambas Partes Contratantes de la una á otra por los precedentes Artículos II y III, no se extenderán por ninguna parte al cabotage de las 2 respectivas naciones.

IV. Siendo la intencion de las 2 Altas Partes Contratantes el obligarse por los 2 Artículos precedentes á tratarse la una á la otra en los mismos términos que á la nacion mas favorecida, por el presente convienen mutuamente, en que cualquier favor, privilegio, ó inmunidad, de cualquiera especie que fuere, que en materias de comercio i navegacion haya concedido actualmente, ó pueda en adelante conceder, alguna de las Partes Contratantes á los subditos ó ciudadanos de otra nacion cualquiera, se hará estensiva á los subditos ó ciudadanos de la otra Parte Contratante, gratuitamente, siempre que la concesion en favor de la otra nacion hubiere sido gratuita; pues siendo condicional, en tal caso por mútuo convenio se acordará una compensacion equivalente, cuanto sea posible, i proporcionada así en el valor, como en los resultados.

V. No higher or other duties shall be imposed on the importation into the territories of Her Britannic Majesty, of any articles of the growth, produce, or manufacture of the Equator, and no higher or other duties shall be imposed on the importation into the territories of the Equator, of any articles of the growth, produce, or manufacture of Her Britannic Majesty's dominions, than are or shall be payable on the like articles, being the growth, produce, or manufacture of any other foreign country; nor shall any other or higher duties or charges be imposed, in the territories or dominions of either of the Contracting Parties, on the exportation of any articles to the territories or dominions of the other, than such as are or may be payable on the exportation of the like articles to any other foreign country; nor shall any prohibition be imposed upon the exportation or importation of any articles the growth, produce, or manufacture of Her Britannic Majesty's dominions, or of the said territories of the Equator, to or from the said dominions of Her Britannic Majesty, or to or from the said territories of the Equator, which shall not equally extend to all other nations.

VI. No higher or other duties or charges on account of tonnage, light, or harbour dues, pilotage,

V. No se impondrá otros ó mas altos derechos á la importacion en los territorios del Ecuador de cualesquiera artículos del producto natural, producciones, ó manufacturas de los dominios de Su Majestad Británica, ni se impondrán otros ó mas altos derechos á la importacion en los territorios de Su Majestad Británica, de cualesquiera artículos del producto natural, producciones, ó manufacturas del Ecuador, que los que se pagan, ó se pagáren, por semejantes artículos, cuando sean producto natural, producciones, ó manufacturas de cualquier otro pais extranjero; ni se impondrán otros ó mas altos derechos ó impuestos en los territorios ó dominios de cualquiera de las Partes Contratantes, á la exportacion de cualesquier artículos para los territorios ó dominios de la otra, que los que se pagan, ó se pagáren, por la exportacion de iguales artículos para cualquier otro pais extranjero. Ni se impondrá prohibicion alguna á la importacion ó exportacion de cualesquier artículos del producto natural, producciones, ó manufacturas de los territorios i dominios del Ecuador, ó de Su Majestad Británica, para los dichos ó de los dichos territorios del Ecuador, ó para los dichos ó de los dichos dominios de Su Majestad Británica, que no se estienden igualmente á todas las naciones.

VI. No se impondrán otros ó mas altos derechos ó impuestos por razon de tonelada, fíanal ó

salvage in case of damage or shipwreck, or any other local charges, shall be imposed, in any of the ports of the Equator, on British vessels than those payable, in the same ports by Equatorian vessels; nor in the ports of Her Britannic Majesty's territories, on Equatorian vessels, than shall be payable in the same ports on British vessels.

VII. The same duties shall be paid on the importation into the territories of the Equator of any article of the growth, produce, or manufacture of Her Britannic Majesty's dominions, whether such importation shall be in Equatorian or in British vessels; and the same duties shall be paid on the importation into the dominions of Her Britannic Majesty of any article of the growth, produce, or manufacture of the Equator, whether such importation shall be in British or Equatorian vessels. The same duties shall be paid, and the same drawbacks and bounties allowed, on the exportation to the Equator of any articles of the growth, produce, or manufacture of Her Britannic Majesty's dominions, whether such exportation shall be in Equatorian or in British vessels; and the same duties shall be paid, and the same bounties and drawbacks allowed, on the exportation of any articles the growth, produce, or manufacture of the Equator, to Her Britannic Majesty's dominions, whether such exportation shall

emolumentos de puerto, práctico, salvamento en caso de averia ó naufragio, ó cualesquier otros gastos locales, en ninguno de los puertos de los territorios de Su Majestad Británica á los buques Ecuatorianos, que los pagaderos en los mismos puertos por buques Británicos; ni en los puertos del Ecuador á los buques Británicos, que los pagaderos en los mismos puertos por buques Ecuatorianos.

VII. Se pagarán los mismos derechos á la importacion en los dominios de Su Majestad Británica, de cualquier artículo del producto natural, producciones, ó manufacturas del Ecuador, ya sea que esta importacion se haga en buques Británicos ó en Ecuatorianos; i se pagarán los mismos derechos á la importacion en los territorios del Ecuador de cualquier artículo del producto natural, producciones, ó manufacturas de los dominios de Su Majestad Británica, ya sea que esta importacion se haga en buques Ecuatorianos ó Británicos. Se pagarán los mismos derechos, i se concederán los mismos descuentos y gratificaciones, á la exportacion de cualesquier artículos del producto natural, producciones, ó manufacturas del Ecuador para los dominios de Su Majestad Británica, ya sea que esta exportacion se haga en buques Británicos ó en Ecuatorianos. I se pagarán los mismos derechos, i se concederán los mismos descuentos i gratificaciones á la exportacion para el Ecuador de cualesquier artículos

be in British or Equatorian vessels.

VIII. All merchants, commanders of ships, and others, the subjects of Her Britannic Majesty, or citizens of the Republic of the Equator, shall have full liberty, in all the territories of both Powers respectively, to manage their own affairs themselves, or to commit them to the management of whomsoever they please, as broker, factor, agent, or interpreter; nor shall they be obliged to employ any other persons for those purposes, nor to pay them any salary or remuneration, unless they shall choose to employ them; and absolute freedom shall be allowed, in all cases, to the buyer and seller, to bargain and fix the price of any goods, wares, or merchandize imported into or exported from the territories of either of the Contracting Parties, as they shall see good.

IX. In whatever relates to the lading and unlading of ships, the safety of merchandize, goods, and effects, the succession to personal estates, and the disposal of personal property of every sort and denomination, by sale, donation, exchange, or testament, or in any other manner whatsoever, as also the administration of justice, the subjects and citizens of the 2 Contracting Parties shall enjoy, in their respective

del producto natural, producciones, ó manufacturas de los dominios de Su Majestad Británica, ya sea que esta exportacion se haga en buques Ecuatorianos ó Británicos.

VIII. Todos los comerciantes, comandantes de buques, i otros ciudadanos i subditos de la República del Ecuador i de Su Majestad Británica, tendrán entera libertad en todos los territorios de ambas Potencias respectivamente, para manejar por si mismos sus propios negocios, ó confiarlos al manejo de quien gusten, como corredor, factor, agente, ó interprete; ni serán obligados á emplear otras personas cualesquiera para aquellos objetos, ni á pagarles salario alguno ó remuneracion, á menos que ellos quieran emplearlos; i se concederá absoluta libertad, en todo caso, al comprador i vendedor para contratar i fijar el precio de cualesquier efectos, mercaderias, ó géneros importados ó exportados de los territorios de cualquiera de las dos Partes Contratantes, segun lo tengan á bien.

IX. En todo lo relativo á la carga i descarga de buques, seguridad de las mercaderias, géneros i efectos, la succession de bienes muebles, i la disposicion de propiedad mueble, de toda especie i denominacion, por venta, donacion, cambio, ó testamento, ó de otra manera cualquiera, como tambien á la administracion de justicia, los ciudadanos i subditos de las dos Partes Contratantes gozarán, en

dominions and territories, the same privileges, liberties, and rights as the most favoured nation, and shall not be charged, in any of these respects, with any higher imposts or duties than those which are paid, or may be paid, by the native subjects or citizens of the Power in whose dominions or territories they may be resident.

They shall be exempted from all compulsory military service whatsoever, whether by sea or land, and from all forced loans, or military exactions and requisitions; neither shall they be compelled to pay any ordinary taxes, under any pretext whatsoever, greater than those that are paid by the subjects or citizens of one or other Power.

If any subject or citizen of either of the 2 High Contracting Parties shall die without will or testament in any of the territories, dominions, or settlements of the other, the Consul-General or Consul of the nation to which the deceased belonged, or the representative of such Consul-General or Consul, in his absence, shall have the right to nominate curators to take charge of the property of the deceased, so far as the laws of the country will permit, for the benefit of the lawful heirs and creditors of the deceased; giving proper notice of such nomination to the authorities of the country.

X. It shall be free for each of the 2 Contracting Parties to appoint Consuls for the protection

sus respectivos territorios i dominios, los mismos privilegios, libertades i derechos que la nacion mas favorecida; i no se les impondrá, por ninguno de estos respectos, impuestos ó derechos algunos mas altos que los que pagan ó pagáren los ciudadanos ó súbditos de la Potencia en cuyos territorios ó dominios residan.

Estarán esentos de todo servicio militar forzado, de mar ó de tierra, i de todo prestamo forzoso, ó exacciones ó requisiciones militares; ni serán compelidos á pagar contribucion alguna ordinaria, mayor que las que paguen los ciudadanos ó súbditos de una ú otra Potencia, bajo ningun pretesto cualquiera.

En caso que muriere algun ciudadano ó súbdito de cualquiera de 2 Altas Partes Contratantes, sin haber hecho su última disposicion ó testamento, en cualquiera de los territorios, dominios, ó establecimientos de la otra, el Cónsul General ó el Cónsul de la nacion á que pertenecia el difunto, ó en su ausencia, el que representáre á dicho Cónsul General ó Cónsul, tendrá el derecho de nombrar albaceas que se encarguen de las propiedades del difunto, en cuanto las leyes del pais lo permitieren, á beneficio de los legitimos herederos i acreedores del difunto; dando noticia conveniente á las autoridades del pais.

X. Será libre á cada una de las Partes Contratantes el nombrar Cónsules para la proteccion del

of trade, to reside in the dominions and territories of the other party; but before any Consul shall act as such, he shall, in the usual form, be approved, and admitted by the Government to which he is sent; and either of the Contracting Parties may except from the residence of Consuls, such particular places as either of them may judge fit to be so excepted.

XI. For the better security of commerce between the subjects of Her Britannic Majesty and the citizens of the Equator, it is agreed that if at any time any interruption of friendly commercial intercourse, or any rupture should unfortunately take place between the 2 Contracting Parties, the subjects or citizens of either of the 2 Contracting Parties residing in the dominions of the other, shall have the privilege of remaining and continuing their trade therein without any manner of interruption, so long as they behave peaceably and commit no offence against the laws; and their effects and property, whether entrusted to individuals or to the State, shall not be liable to seizure or sequestration, or to any other demands than those which may be made upon the like effects or property belonging to the native inhabitants of the State in which such subjects or citizens may reside.

XII. The subjects of Her Britannic Majesty residing in the territories of the Republic of the Equator, shall enjoy the most perfect and entire security

comercio, que residan en los territorios i dominios de la otra Parte; pero ántes que cualquier Cónsul obre como tal, será aprobado i admitido por el Gobierno al cual fuere enviado en la forma acostumbrada; i cualquiera de las Partes Contratantes puede exceptuar de la residencia de Cónsules, aquellos lugares particulares que cualquiera de ellas juzgue conveniente exceptuar.

XI. Para la mejor seguridad del comercio entre los ciudadanos del Ecuador i los súbditos de Su Majestad Británica, se ha convenido, que si en algun tiempo desgraciadamente sucediere alguna interrupcion de la correspondencia comercial amistosa, ó algun rompimiento entre las 2 Partes Contratantes, los ciudadanos ó súbditos de las 2 Partes Contratantes residentes on los dominios de la otra, tendrán el privilegio de permanecer i continuar su tráfico allí, sin ninguna especie de interrupcion, mientras se conduzcan pacíficamente, i no cometan ofensa contra las leyes; i sus efectos i propiedades, ya esten confiados á individuos particulares, ó al Estado, no estarán sujetas á ocupacion ó secuestro, ni á ningunas otras demandas que las que puedan hacerse de iguales efectos ó propiedades pertenecientes á los ciudadanos ó súbditos de la potencia en que residan.

XII. Los ciudadanos del Ecuador gozarán en todos los dominios de Su Majestad Británica, una perfecta é ilimitada libertad de conciencia, i la de ejercitar su

of conscience, without being annoyed, prevented, or disturbed on account of their religious belief. Neither shall they be annoyed, molested, or disturbed in the proper exercise of their religion, provided that this take place with the decorum due to divine worship, and with due respect to the laws, usages, and customs of the country. Liberty shall also be granted to bury the subjects of Her Britannic Majesty who may die in the said territories of the Equator, in convenient and adequate places, to be appointed and established by themselves for that purpose with the knowledge of the local authorities; nor shall the funerals or sepulchres of the dead be disturbed in any wise, nor upon any account. In like manner, the citizens of the Equator shall enjoy within all the dominions of Her Britannic Majesty a perfect and unrestrained liberty of conscience and of exercising their religion, publicly or privately, within their own dwelling-houses, or in the chapels and places of worship appointed for that purpose, agreeably to the system of toleration established in the dominions of Her said Majesty.

XIII. In order that the 2 High Contracting Parties may have the opportunity of hereafter treating and agreeing upon such other arrangements as may tend still further to the improvement of their mutual intercourse, and to the advancement of the interests of their respective subjects and citizens, it is agreed that at

religion, pública ó privadamente, dentro de sus casas particulares, ó en las capillas ó lugares del culto destinados para aquel objeto, conforme al sistema de tolerancia establecido en los dominios de Su Majestad Británica. Así mismo los súbditos de Su Majestad Británica residentes en los territorios del Ecuador, gozarán la mas perfecta i entera seguridad de conciencia, sin quedar por ella espuestos á ser molestados, inquietados, ni perturbados en razon de su creencia religiosa, ni en los ejercicios propios de su religion, con tal que lo hagan con el decoro debido al Culto Divino, respetando las leyes, usos i costumbres establecidas. Tambien tendrán libertad para enterrar los súbditos de Su Majestad Británica que mueran en los dichos territorios del Ecuador, en lugares convenientes i adecuados, que ellos mismos designen i establezcan con acuerdo de las autoridades locales para aquel objeto; i los funerales ó sepulcros de los muertos no serán trastornados de modo alguno ni por ningun motivo.

XIII. Para que las dos Altas Partes Contratantes tengan en lo futuro oportunidad de tratar i ajustar cualesquiera otros arreglos que tiendan aun mas eficazmente á estrechar las relaciones existentes, i al adelanto de los intereses de los respectivos súbditos ó ciudadanos, se ha convenido que en cualquier tiempo, pasados

any time after the expiration of 7 years from the date of the exchange of the ratifications of the present Treaty, either of the High Contracting Parties shall have the right of giving to the other Party notice of its intention to terminate Articles V, VI, and VII of the present Treaty; and that, at the expiration of 12 months after such notice shall have been received by either party from the other, the said Articles, and all the stipulations contained therein, shall cease to be binding on the 2 High Contracting Parties.

XIV. The present Treaty, which, after being signed and ratified, shall replace that of the 18th of April, 1825,* between Great Britain and Colombia, shall be ratified; and the ratifications shall be exchanged at Quito within the space of 2 years, or sooner if possible.

In witness whereof, the respective Plenipotentiaries have signed the same, and have affixed thereto their respective seals.

Done in the city of Quito, the 3rd day of May, 1851.

(L.S.) WALTER COPE.
(L.S.) JE. MODESTO
LARREA.

siete años desde la fecha en que se cangeen las ratificaciones del presente Tratado, cualquiera de las dos Altas Partes Contratantes podrá poner en conocimiento de la otra Parte sus intenciones de terminar los Artículos V, VI, i VII del presente Tratado; i que al espirar un año desde que una de las Partes haya recibido de la otra dicha noticia, los espresados Artículos, i todo su contenido, dejarán de ser obligatorios á las dos Altas Partes Contratantes.

XIV. El presente Tratado que, despues de haber sido firmado i ratificado, reemplazará el del 18mo de Abril de 1825,* entre Colombia i la Gran Bretaña, será ratificado, i las ratificaciones serán canjeadas en Quito en el termino de dos años, ó ántes si fuere posible.

En testimonio de lo cual, los respectivos Plenipotenciarios lo firmaron, i sellaron con sus respectivos sellos.

Fecho en la ciudad de Quito, el dia 3 de Mayo, de 1851.

(L.S.) JE. MODESTO
LARREA.
(L.S.) WALTER COPE.

CONVENTION between Great Britain and France, for the Establishment of International Copyright.—Signed at Paris, November 3, 1851.

[Ratifications exchanged at Paris, January 8, 1852.]

HER Majesty the Queen of the United Kingdom of Great Britain

SA Majesté la Reine du Royaume Uni de la Grande Bretagne

and Ireland, and the President of the French Republic, being equally desirous of extending in each country the enjoyment of copyright to works of literature and of the fine arts which may be first published in the other; and Her Britannic Majesty having consented to extend to books, prints, and musical works published in France, that reduction of the duties now levied thereon on importation into the United Kingdom, which she is by law empowered to grant, under certain circumstances, in favour of such works published in foreign countries; Her Britannic Majesty and the President of the French Republic have deemed it expedient to conclude a special Convention for that purpose, and have therefore named as their Plenipotentiaries, that is to say:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Constantine Henry, Marquess of Normanby, a Peer of the United Kingdom, Knight of the Most Noble Order of the Garter, and Knight Grand Cross of the Most Honourable Order of the Bath, &c. Ambassador Extraordinary and Plenipotentiary to the French Republic;

And the President of the French Republic, M. Lewis Felix Stephen Turgot, Officer of the National Order of the Legion of Honour, Knight of the Royal Order of San Fernando of Spain, Second Class, &c. and Minister for the Department of Foreign Affairs;

et d'Irlande, et le Président de la République Française, également animés du désir d'étendre dans les 2 pays la jouissance des droits d'auteur pour les ouvrages de littérature et de beaux arts, qui pourront être publiés pour la première fois dans l'un des deux; et Sa Majesté Britannique ayant consenti à étendre aux livres, gravures, et œuvres musicales publiés en France, la réduction que la loi l'autorise à accorder, sous certaines conditions, dans le taux des droits actuellement perçus à l'importation dans le Royaume Uni de ces mêmes articles publiés en pays étrangers; Sa Majesté Britannique et le Président de la République Française ont jugé à propos de conclure dans ce but une Convention spéciale, et ont nommé à cet effet pour leurs Plénipotentiaires, savoir :

Sa Majesté la Reine du Royaume Uni de la Grande Bretagne et d'Irlande, M. Constantin Henry, Marquess de Normanby, Pair du Royaume Uni, Chevalier du Très Noble Ordre de la Jarretière, Grand Croix du Très Honorable Ordre du Bain, &c. son Ambassadeur Extraordinaire et Plénipotentiaire près la République Française;

Et le Président de la République Française, M. Louis Félix Etienne Turgot, Officier de l'Ordre National de la Légion d'Honneur, Chevalier de l'Ordre Royal de Saint Ferdinand d'Espagne de Seconde Classe, &c. Ministre au Département des Affaires Etrangères;

Who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon and concluded the following Articles :

ART. I. From and after the date on which, according to the provisions of Article XIV, the present Convention shall come into operation, the authors of works of literature or of art, to whom the laws of either of the 2 countries do now or may hereafter give the right of property, or copyright, shall be entitled to exercise that right in the territories of the other of such countries for the same term, and to the same extent, as the authors of works of the same nature, if published in such other country, would therein be entitled to exercise such right; so that the republication or piracy in either country, of any work of literature or of art, published in the other, shall be dealt with in the same manner as the republication or piracy of a work of the same nature first published in such other country; and so that such authors in the one country shall have the same remedies before the courts of justice in the other country, and shall enjoy in that other country the same protection against piracy and unauthorized republication, as the law now does or may hereafter grant to authors in that country.

The terms "works of literature or of art," employed at the beginning of this Article, shall be

Lesquels, après s'être communiqué leurs pleins pouvoirs, trouvés en bonne et due forme, sont convenus des Articles suivans :

ART. I. A partir de l'époque à laquelle, conformément aux stipulations de l'Article XIV ci-après, la présente Convention deviendra exécutoire, les auteurs d'œuvres de littérature ou d'art, auxquelles les lois de l'un des 2 pays garantissent actuellement, ou garantiront à l'avenir, le droit de propriété ou d'auteur, auront la faculté d'exercer le dit droit sur les territoires de l'autre pays pendant le même espace de temps, et dans les mêmes limites, que s'exercerait dans cet autre pays le droit attribué aux auteurs d'ouvrages de même nature qui y seraient publiés; de telle sorte que la reproduction ou la contrefaçon dans l'un des deux états, de toute œuvre de littérature ou d'art, publiée dans l'autre, sera traitée de la même manière que le serait la reproduction ou la contrefaçon d'ouvrages de même nature originairement publiés dans cet autre état; et que les auteurs de l'un des deux pays auront, devant les tribunaux de l'autre, la même action, et jouiront des mêmes garanties contre la contrefaçon ou la reproduction non autorisée, que celles que la loi accorde, ou pourrait accorder à l'avenir, aux auteurs de ce dernier pays.

Il est entendu que ces mots "œuvres de littérature ou d'art," employés au commencement de

understood to comprise publications of books, of dramatic works, of musical compositions, of drawing, of painting, of sculpture, of engraving, of lithography, and of any other works whatsoever of literature and of the fine arts.

The lawful representatives or assigns of authors, translators, composers, painters, sculptors, or engravers, shall, in all respects, enjoy the same rights which by the present Convention are granted to the authors, translators, composers, painters, sculptors, or engravers themselves.

II. The protection granted to original works is extended to translations; it being, however, clearly understood, that the intention of the present Article is simply to protect a translator in respect of his own translation, and that it is not intended to confer upon the first translator of any work the exclusive right of translating that work, except in the case and to the extent provided for in the following Article.

III. The author of any work published in either of the 2 countries, who may choose to reserve the right of translating it, shall, until the expiration of 5 years from the date of the first publication of the translation thereof authorized by him, be, in the following cases, entitled to protection from the publication in the other country of any translation of such work not so authorized by him:

cet Article, comprennent les publications de livres, d'ouvrages dramatiques, de composition musicale, de dessin, de peinture, de sculpture, de gravure, de lithographie, et de toute autre production quelconque de littérature et de beaux arts.

Les mandataires ou ayants-cause des auteurs, traducteurs, compositeurs, peintres, sculpteurs, ou graveurs, jouiront à tous égards des mêmes droits que ceux que la présente Convention accorde aux auteurs, traducteurs, compositeurs, peintres, sculpteurs, ou graveurs eux-mêmes.

II. La protection accordée aux ouvrages originaux est étendue aux traductions. Il est bien entendu toutefois, que l'objet du présent Article est simplement de protéger le traducteur par rapport à sa propre traduction, et non pas de conférer le droit exclusif de traduction au premier traducteur d'un ouvrage quelconque, hormis dans le cas et les limites prévus par l'Article suivant.

III. L'auteur de tout ouvrage publié dans l'un des 2 pays, qui aura entendu réserver son droit de traduction, jouira, pendant 5 années à partir du jour de la première publication de la traduction de son ouvrage autorisée par lui, du privilège de protection contre la publication dans l'autre pays de toute traduction du même ouvrage non autorisée par lui, et ce sous les conditions suivantes :

§ 1. If the original work shall have been registered and deposited in the one country within 3 months after its first publication in the other.

§ 2. If the author has notified on the title-page of his work his intention to reserve the right of translating it.

§ 3. Provided always, that at least a part of the authorized translation shall have appeared within a year after the registration and deposit of the original, and that the whole shall have been published within 3 years after the date of such deposit.

§ 4. And provided that the publication of the translation shall take place within one of the 2 countries, and that it shall be registered and deposited according to the provisions of Article VIII.

With regard to works which are published in parts, it will be sufficient if the declaration of the author that he reserves the right of translation, shall appear in the first part. But with reference to the period of 5 years limited by this Article for the exercise of the exclusive right of translation, each part shall be treated as a separate work, and each part shall be registered and deposited in the one country within 3 months after its first publication in the other.

IV. The stipulations of the preceding Articles shall also be applicable to the representation of dramatic works, and to the

§ 1. L'ouvrage original sera enregistré et déposé dans l'un des 2 pays, dans un délai de 3 mois à partir du jour de la première publication dans l'autre pays.

§ 2. Il faudra que l'auteur ait indiqué en tête de son ouvrage l'intention de se réserver le droit de traduction.

§ 3. La dite traduction autorisée devra avoir paru, au moins en partie, dans le délai d'un an à compter de la date de l'enregistrement et du dépôt de l'original, et en totalité dans le délai de 3 ans à partir du dit dépôt.

§ 4. La traduction devra être publiée dans l'un des 2 pays, et être enregistrée et déposée conformément aux dispositions de l'Article VIII.

Pour les ouvrages publiés par livraisons, il suffira que la déclaration de l'auteur, qu'il entend se réserver le droit de traduction, soit exprimée dans la première livraison. Toutefois, en ce qui concerne le terme de 5 ans assigné par cet Article pour l'exercice du droit privilégié de traduction, chaque livraison sera considérée comme un ouvrage séparé, et chacune d'elles sera enregistrée et déposée dans l'un des 2 pays dans les 3 mois à partir de sa première publication dans l'autre.

IV. Les stipulations des Articles précédents s'appliqueront également à la représentation des ouvrages dramatiques, et à l'exé-

performance of musical compositions, in so far as the laws of each of the 2 countries are or shall be applicable in this respect to dramatic and musical works first publicly represented or performed therein.

In order, however, to entitle the author to legal protection in regard to the translation of a dramatic work, such translation must appear within 3 months after the registration and deposit of the original.

It is understood that the protection stipulated by the present Article is not intended to prohibit fair imitations, or adaptations of dramatic works to the stage in England and France respectively, but is only meant to prevent piratical translations.

The question whether a work is an imitation or a piracy, shall in all cases be decided by the courts of justice of the respective countries, according to the laws in force in each.

V. Notwithstanding the stipulations of Articles I and II of the present Convention, articles extracted from newspapers or periodicals published in either of the 2 countries, may be republished or translated in the newspapers or periodicals of the other country, provided the source from whence such articles are taken be acknowledged.

Nevertheless, this permission shall not be construed to authorize the republication in one of

cution des compositions musicales, en tant que les lois de chacun des 2 pays sont ou seront applicables, sous ce rapport, aux ouvrages dramatiques de la musique représentés ou exécutés publiquement dans ces pays pour la première fois.

Toutefois, pour avoir droit à la protection légale, en ce qui concerne la traduction d'un ouvrage dramatique, l'auteur devra faire paraître sa traduction 3 mois après l'enregistrement et le dépôt de l'ouvrage original.

Il est bien entendu que la protection stipulée par le présent Article n'a point pour objet de prohiber les imitations faites de bonne foi, ou les appropriations des ouvrages dramatiques aux scènes respectives d'Angleterre et de France, mais seulement d'empêcher les traductions en contrefaçon.

La question d'imitation ou de contrefaçon sera déterminée dans tous les cas par les tribunaux des pays respectifs, d'après la législation en vigueur dans chacun des 2 Etats.

V. Nonobstant les stipulations des Articles I et II de la présente Convention, les articles extraits de journaux ou de recueils périodiques publiés dans l'un des 2 pays, pourront être reproduits ou traduits dans les journaux ou recueils périodiques de l'autre pays, pourvu qu'on y indique la source à laquelle on les aura puisés.

Toutefois cette permission ne saurait être comprise comme s'étendant à la reproduction dans

the 2 countries of articles from newspapers or periodicals published in the other country, the authors of which shall have notified in a conspicuous manner in the journal or periodical in which such articles have appeared, that they forbid the republication thereof.

VI. The importation into and the sale in either of the 2 countries of piratical copies of works which are protected from piracy under Articles I, II, III, and V of the present Convention, are prohibited, whether such piratical copies originate in the country where the work was published, or in any other country.

VII. In the event of an infraction of the provisions of the foregoing Articles, the pirated works or articles shall be seized and destroyed; and the persons who may have committed such infraction shall be liable in each country to the penalties and actions which are or may be prescribed by the laws of that country for such offences, committed in respect of a work or production of home origin.

VIII. Neither authors, nor translators, nor their lawful representatives or assigns, shall be entitled in either country to the protection stipulated by the preceding Articles, nor shall copyright be claimable in either country, unless the work shall have been registered in the manner following, that is to say :

1°. If the work be one that
[1850—51.]

l'un des 2 pays, des articles de journaux ou de recueils périodiques publiés dans l'autre, dont les auteurs auraient déclaré d'une manière évidente dans le journal ou le recueil même où ils les auront fait paraître, qu'ils en interdisent la reproduction.

VI. Sont interdites l'importation et la vente, dans l'un ou l'autre des 2 pays, de toute contrefaçon d'ouvrages jouissant du privilège de protection contre la contrefaçon en vertu des Articles I, II, III, et V de la présente Convention, que ces contrefaçons soient originaires du pays où l'ouvrage a été publié, ou bien de toute autre contrée étrangère.

VII. En cas de contravention aux dispositions des Articles précédens, les ouvrages ou objets contrefaits seront saisis et détruits; et les individus qui se seront rendus coupables de ces contraventions seront passibles, dans chaque pays, de la peine et des poursuites qui sont ou seraient prescrites par les lois de ce pays contre le même délit commis à l'égard de tout ouvrage ou production d'origine nationale.

VIII. Les auteurs, traducteurs, de même que leurs représentans ou ayants-cause légalement désignés, n'auront droit, dans l'un et l'autre pays, à la protection stipulée par les Articles précédens, et le droit d'auteur ne pourra être réclaté dans l'un des deux pays, qu'après que l'ouvrage aura été enregistré de la manière suivante, savoir :

1°. Si l'ouvrage a paru pour la

has first appeared in France, it must be registered at the Hall of the Company of Stationers in London.

2°. If the work be one that has first appeared in the dominions of Her Britannic Majesty, it must be registered at the *Bureau de la Librairie* of the Ministry of the Interior at Paris.

No person shall be entitled to such protection as aforesaid, unless he shall have duly complied with the laws and regulations of the respective countries in regard to the work in respect of which such protection may be claimed. With regard to books, maps, prints, or musical publications, no person shall be entitled to such protection unless he shall have delivered gratuitously, at one or other of the places mentioned above, as the case may be, one copy of the best edition, or in the best state, in order to its being deposited at the place appointed for that purpose in each of the 2 countries; that is to say, in Great Britain, at the British Museum at London; and in France, at the National Library at Paris.

In every case, the formality of deposit and registration must be fulfilled within 3 months after the first publication of the work in the other country. With regard to works published in parts, the period of 3 months shall not begin to run until the date of the publication of the last part, unless the author shall have notified his intention to reserve

première fois en France, il faudra qu'il ait été enregistré à l'Hôtel de la Corporation des Libraires (*Stationers' Hall*) à Londres.

2°. Si l'ouvrage a paru pour la première fois dans les états de Sa Majesté Britannique, il faudra qu'il ait été enregistré au Bureau de la Librairie du Ministère de l'Intérieur à Paris.

La susdite protection ne sera acquise qu'à celui qui aura fidèlement observé les lois et réglemens en vigueur dans les pays respectifs par rapport à l'ouvrage pour lequel cette protection serait réclamée. Pour les livres, cartes, estampes, ou publications musicales, la susdite protection ne sera acquise qu'autant que l'on aura remis gratuitement, dans l'un ou l'autre des dépôts mentionnés ci-dessus, suivant les cas respectifs, un exemplaire de la meilleure édition, ou dans le meilleur état, destiné à être déposé au lieu indiqué à cet effet dans chacun des 2 pays; c'est-à-dire, dans la Grande Bretagne, au Musée Britannique à Londres; et en France, à la Bibliothèque Nationale de Paris.

Dans tous les cas, les formalités du dépôt et de l'enregistrement devront être remplies sous les 3 mois qui suivront la première publication de l'ouvrage dans l'autre pays. A l'égard des ouvrages publiés par livraisons, ce délai de 3 mois ne commencera à courir qu'à dater de la publication de la dernière livraison, à moins que l'auteur n'ait indiqué,

the right of translating it, as provided in Article III; in which case each part shall be treated as a separate work.

A certified copy of the entry in the Register Book of the Company of Stationers in London shall confer, within the British dominions, the exclusive right of republication, until a better right shall have been established by any other party before a court of justice.

The certificate given under the laws of France, proving the registration of any work in that country, shall be valid for the same purpose throughout the territories of the French Republic.

A certificate or certified copy of the registration of any work so registered in either country shall, if required, be delivered at the time of registration; and such certificate shall state the exact date at which the registration was made.

The charge for the registration of a single work, under the stipulations of this Article, shall not exceed 1 shilling in England, nor 1 franc and 25 centimes in France; and the further charge for a certificate of such registration shall not exceed the sum of 5 shillings in England, nor 6 francs and 25 centimes in France.

The provisions of this Article shall not extend to articles which may appear in newspapers or periodicals; which shall be pro-

conformément aux dispositions de l'Article III, son intention de se réserver le droit de traduction; auquel cas chaque livraison sera considérée comme un ouvrage séparé.

Une copie authentique de l'inscription sur le Registre de la Corporation des Libraires à Londres conférera dans les états Britanniques le droit exclusif de reproduction, jusqu'à ce que quelqu'autre personne ait fait admettre devant un tribunal un droit mieux établi.

Le certificat délivré conformément aux lois Françaises, et constatant l'enregistrement d'un ouvrage dans ce pays, aura la même force et valeur dans toute l'étendue du territoire de la République Française.

Au moment de l'enregistrement d'un ouvrage dans l'un des deux pays, il en sera délivré, si on le demande, un certificat ou copie certifiée; et ce certificat relatera la date précise à laquelle l'enregistrement aura eu lieu.

Le coût d'enregistrement d'un seul ouvrage, conformément aux stipulations du présent Article, ne pourra pas dépasser la somme de 1 shilling en Angleterre, et 1 franc 25 centimes en France; et les frais additionnels pour le certificat d'enregistrement ne devront pas excéder la somme de 5 shillings en Angleterre, ou de 6 francs 25 centimes en France.

Les présentes stipulations ne s'étendront pas aux articles de journaux ou de recueils périodiques; pour lesquels le simple

ected from republication or translation simply by a notice from the author, as prescribed by Article V. But if any article or work which has originally appeared in a newspaper or periodical, shall afterwards be published in a separate form, it shall then become subject to the stipulations of the present Article.

IX. With regard to any article other than books, prints, maps, and musical publications, in respect to which protection may be claimable under Article I of the present Convention, it is agreed, that any other mode of registration than that prescribed in the preceding Article, which is or may be applicable by law in one of the 2 countries to any work or article first published in such country, for the purpose of affording protection to copyright in such work or article, shall be extended on equal terms to any similar work or article first published in the other country.

X. During the continuance of this Convention, the duties now payable upon the lawful importation into the United Kingdom of Great Britain and Ireland of books, prints, drawings, or musical works, published throughout the territories of the French Republic, shall be reduced to and fixed at the rates hereinafter specified; that it to say:

1. Duties on books and musical works, viz.:

avertissement de l'auteur, ainsi qu'il est prescrit à l'Article V, suffira pour garantir son droit contre la production ou la traduction. Mais si un article ou un ouvrage qui aura paru pour la première fois dans un journal ou dans un recueil périodique, est ensuite reproduit à part, il restera alors soumis aux stipulations du présent Article.

IX. Quant à ce qui concerne tout autre objet que les livres, estampes, cartes, et publications musicales, pour lesquels on pourrait réclamer la protection en vertu de l'Article I de la présente Convention, il est entendu que tout mode d'enregistrement autre que le mode prescrit par l'Article précédent, qui est ou qui pourrait être appliqué par la loi dans un des 2 pays, à l'effet de garantir le droit de propriété à toute œuvre quelconque ou article mis pour la première fois au jour dans ce pays, le dit mode d'enregistrement sera étendu, sous des conditions égales, à toute œuvre ou objet similaire mis au jour pour la première fois dans l'autre pays.

X. Pendant la durée de la présente Convention, les droits actuellement établis à l'importation licite dans le Royaume Uni de la Grande Bretagne et d'Irlande, des livres, gravures, dessins, ou ouvrages de musique publiés dans toute l'étendue du territoire de la République Française, demeurent réduits et fixés au taux ci-après établi, savoir:

1. Droits sur les livres et œuvres de musique:

£ s. d.

£ s. d.

(a) Works originally produced in the United Kingdom, and republished in France; the cwt. . . . 2 10 0

(b) Works not originally produced in the United Kingdom; the cwt. . . . 0 15 0

2. Prints or drawings:

(a) Coloured or plain, single, each 0 0 0½

(b) Bound or sewed, the dozen 0 0 1½

It is agreed that the rates of duty above specified shall not be raised during the continuance of the present Convention; and that if hereafter, during the continuance of this Convention, any reduction of those rates should be made in favour of books, prints, drawings, or musical works published in any other country, such reduction shall be at the same time extended to similar articles published in France.

It is moreover understood that all works published in France, of which any part may have been originally produced in the United Kingdom, shall be considered as "works originally produced in the United Kingdom, and republished in France," and as such shall be subject to the duty of 50s. per cwt., although the same may contain also original matter not produced in the United Kingdom; unless such original matter shall be at least equal in bulk to the part of the work

(a) Ouvrages publiés pour la première fois dans le Royaume Uni, et reproduits en France; par quintal Anglais 2 10 0

(b) Ouvrages non publiés pour la première fois dans le Royaume Uni; par quintal Anglais 0 15 0

2. Gravures ou dessins:

(a) Coloriés ou non, chaque pièce 0 0 0½

(b) Reliés ou brochés, la douzaine 0 0 1½

Il est convenu que le taux des droits ci-dessus spécifiés ne sera pas augmenté pendant la durée de la présente Convention; et que si par la suite, pendant la durée de cette Convention, ce taux était réduit en faveur des livres, gravures, dessins, ou ouvrages de musique publiés dans tout autre pays, cette réduction s'étendra en même temps aux objets similaires publiés en France.

Il est en outre bien entendu que tout ouvrage publié en France, et dont une partie aura été mise au jour pour la première fois dans le Royaume Uni, sera considéré comme "ouvrage publié pour la première fois dans le Royaume Uni, et reproduit en France;" et à ce titre il sera soumis aux droits de 50s. par quintal Anglais, alors même qu'il contiendrait encore des additions originales publiées ailleurs que dans le Royaume Uni; à moins que ces additions originales ne

originally produced in the United Kingdom, in which case the work shall be subject only to the duty of 15s. per cwt.

XI. In order to facilitate the execution of the present Convention, the 2 High Contracting Parties engage to communicate to each other the laws and regulations which may hereafter be established in their respective territories, with respect to copyright in works or productions protected by the stipulations of the present Convention.

XII. The stipulations of the present Convention shall in no way affect the right which each of the 2 High Contracting Parties expressly reserves to itself, of controlling or of prohibiting, by measures of legislation or of internal police, the sale, circulation, representation, or exhibition of any work or production, in regard to which either country may deem it expedient to exercise that right.

XIII. Nothing in this Convention shall be construed to affect the right of either of the 2 High Contracting Parties to prohibit the importation into its own dominions, of such books as, by its internal law, or under engagements with other States, are or may be declared to be piracies, or infringements of copyright.

soient d'une étendue pour le moins égale à celle de la partie de l'ouvrage publiée originairement dans le Royaume Uni, auquel cas l'ouvrage ne serait soumis qu'aux droits de 15s. par quintal Anglais.

XI. Pour faciliter l'exécution de la présente Convention, les 2 Hautes Parties Contractantes s'engagent à se communiquer mutuellement les lois et règlements qui pourront être ultérieurement établis dans les états respectifs, à l'égard des droits d'auteurs, pour les ouvrages et productions protégés par les stipulations de la présente Convention.

XII. Les stipulations de la présente Convention ne pourront, en aucune manière, porter atteinte au droit que chacune des 2 Hautes Parties Contractantes se réserve expressément de surveiller ou de défendre, au moyen de mesures législatives, ou de police intérieure, la vente, la circulation, la représentation, et l'exposition de tout ouvrage ou de toute production, à l'égard desquels l'un ou l'autre pays jugerait convenable d'exercer ce droit.

XIII. Rien dans cette Convention ne sera considéré comme portant atteinte au droit de l'une ou de l'autre des 2 Hautes Parties Contractantes de prohiber l'importation dans ses propres états des livres qui, d'après ses lois intérieures ou des stipulations souscrites avec d'autres Puissances, sont ou seraient déclarés être des contrefaçons, ou des violations du droit d'auteur.

XIV. Her Britannic Majesty engages to recommend to Parliament to pass an Act to enable her to carry into execution such of the arrangements contained in the present Convention as require the sanction of an Act of the Legislature. When such an Act shall have been passed, the Convention shall come into operation from and after a day to be then fixed upon by the 2 High Contracting Parties. Due notice shall be given beforehand in each country, by the Government of that country, of the day which may be so fixed upon; and the stipulations of the Convention shall apply only to works or articles published after that day.

The Convention shall continue in force for 10 years from the day on which it may come into operation; and if neither party shall, 12 months before the expiration of the said period of 10 years, give notice of its intention to terminate its operation, the Convention shall continue in force for a year longer, and so on from year to year, until the expiration of a year's notice from either party for its termination.

The High Contracting Parties, however, reserve to themselves the power of making by common consent, in this Convention, any modifications which may not be inconsistent with its spirit and principles, and which experience of its working may show to be desirable.

XIV. Sa Majesté Britannique s'engage à recommander au Parlement d'adopter une loi qui l'autorise à mettre en vigueur celles des dispositions de la présente Convention qui ont besoin d'être sanctionnées par un Acte législatif. Lorsque cette loi aura été adoptée, la Convention sera mise à exécution à partir d'un jour qui sera alors fixé par les 2 Hautes Parties Contractantes. Dans chaque pays, le Gouvernement fera dûment connaître d'avance le jour ainsi convenu; et les stipulations de la Convention ne seront applicables qu'aux œuvres et articles publiés après cette date.

La présente Convention restera en vigueur pendant 10 années à partir du jour où elle pourra être mise en vigueur: et dans le cas où aucune des 2 Parties n'aurait pas signifié, 12 mois avant l'expiration de la dite période de 10 années, son intention d'en faire cesser les effets, la Convention continuerait à rester en vigueur encore une année; et ainsi de suite d'année en année, jusqu'à l'expiration d'une année à partir du jour où l'une ou l'autre des parties l'aura dénoncée.

Les Hautes Parties Contractantes se réservent cependant la faculté d'apporter à la présente Convention, d'un commun accord, toute modification qui ne serait pas incompatible avec l'esprit et les principes qui en sont la base et dont l'expérience aurait démontré l'opportunité.

XV. The present Convention shall be ratified, and the Ratifications shall be exchanged at Paris as soon as may be within 3 months from the date of signature.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto their respective seals.

Done at Paris, the 3rd day of November, in the year of our Lord 1851.

(L.S.) NORMANBY.

XV. La présente Convention sera ratifiée, et les Ratifications en seront échangées à Paris dans le délai de 3 mois à partir du jour de la signature, ou plus tôt si faire se peut.

En foi de quoi les Plénipotentiaires respectifs l'ont signée, et y ont apposé leurs cachets respectifs.

Fait à Paris, le 3ème jour du mois de Novembre, de l'an de Grâce 1851.

(L.S.) TURGOT.

Procès-Verbal of the exchange of Ratifications.

THE Undersigned having met together in order, on the part of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and of the President of the French Republic, to proceed to the exchange of the respective Ratifications of the Convention between Great Britain and France, signed at Paris on the 3rd of November last, for the mutual protection, in the 2 countries, of copyright in works of literature and of art; the respective instruments of ratification were produced, and after having been carefully compared and found to be exactly conformable to each other, were exchanged in the usual form.

1. Notwithstanding, however, that by the terms of Article XIV, it is stipulated that none of the arrangements of the Convention shall come into operation until after the time when such of those arrangements as require to be confirmed in Great Britain

Procès-Verbal de l'échange des Ratifications.

LES Soussignés s'étant réunis pour procéder, au nom de Sa Majesté la Reine du Royaume Uni de la Grande Bretagne et d'Irlande, et du Président de la République Française, à l'échange des Ratifications réciproques de la Convention signée à Paris le 3 Novembre dernier, entre la Grande Bretagne et la France, dans le but de garantir mutuellement, dans les 2 pays, la propriété des œuvres de littérature et d'art; les instruments respectifs de ratification ont été produits; et après avoir été soigneusement collationnés et trouvés exactement conformes l'un à l'autre, l'échange en a été opéré dans les formes usitées.

Toutefois, 1°. Nonobstant les termes de l'Article XIV, stipulant que la Convention ne sera exécutoire en aucune de ses dispositions qu'à partir du jour où celles qui ont besoin d'être validées dans la Grande Bretagne par un Acte législatif, auront

by an Act of the Legislature, shall have been so sanctioned; it was mutually agreed, that such of those arrangements as do not require that sanction, and as the present state of the law enables the British Crown to carry at once into execution, shall on either side receive their full and entire effect as soon as possible.

2. It was also agreed, that the stipulations contained in Article V, which forbid the republication in either of the 2 countries, of articles from newspapers or periodicals published in the other, the authors of which shall have notified in the newspaper or periodical in which such articles have appeared, that they forbid the republication thereof,—shall not be applicable to articles of political discussion.

The preceding interpretations and explanations shall have the same force and validity as if they had been inserted in the Convention itself.

In witness whereof the Undersigned have signed the present *procès-verbal*, in duplicate, at Paris, the 8th day of January, in the year of our Lord 1852.

(L.S.) NORMANBY.

reçu cette sanction; il a été convenu d'un commun accord, que celles des dispositions qui ne sont point de nature à y être soumises, et que l'état actuel de la législation autorise dès à présent la Couronne Britannique à valider, auront la plus tôt possible leur plein et entier effet de part et d'autre.

2°. Il a été également convenu, que les dispositions contenues dans l'Article V, lesquelles interdisent la reproduction dans l'un des 2 pays des articles de journaux ou de recueils périodiques publiés dans l'autre, et dont les auteurs auraient déclaré dans le journal ou recueil même où ils les auront fait paraître, qu'ils en interdisent la reproduction,—ne seront pas applicables aux articles de discussion politique.

Les précédentes interprétations et explications auront la même force et valeur que si elles étaient insérées dans la texte même de la Convention.

En foi de quoi les Soussignés ont signés le present *procès-verbal*, en double copie, à Paris, le 8ème jour de Janvier, de l'an de Grâce 1852.

(L.S.) TURGOT.

*CONVENTION of Navigation between Great Britain and the Netherlands, additional to the Treaty of October 27, 1837.**
—Signed at London, March 27, 1851.

[Ratifications exchanged at London, April 16, 1851.]

HER Majesty the Queen of the
United Kingdom of Great Britain

HARE Majesteit de Koningin
van het Vereenigd Koninkryk

and Ireland, and His Majesty the King of the Netherlands, being desirous of extending further the reciprocal privileges of navigation conferred on the ships of the 2 countries respectively by the Treaty of Commerce and Navigation between Her Britannic Majesty and His Majesty the King of the Netherlands, which was signed at the Hague on the 27th of October, 1837, have appointed as their Plenipotentiaries to conclude a Convention for that purpose; that is to say:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Right Honourable Henry John Viscount Palmerston, Baron Temple, a Peer of Ireland, a Member of Her Britannic Majesty's Most Honourable Privy Council, a Member of Parliament, Knight Grand Cross of the Most Honourable Order of the Bath, and Her Britannic Majesty's Principal Secretary of State for Foreign Affairs; and the Right Honourable Henry Labouchere, a Member of Her Britannic Majesty's Most Honourable Privy Council, a Member of Parliament, and President of the Committee of Privy Council for Affairs of Trade and Foreign Plantations;

And His Majesty the King of the Netherlands, His Excellency Gerard Count Schimmelpenninck, Minister of State, Commander of the Royal Order of the Netherland Lion, Knight of

van Groot Brittanje en Ierland, en Zyne Majesteit de Koning der Nederlanden, verlangende verder uittebreiden de wederkeerige voorregten van scheepvaart, toegestaan aan de schepen der beide Landen respectivelyk by het Traktaat van Handel en Scheepvaart tusschen Hare Britannische Majesteit en Zyne Majesteit den Koning der Nederlanden, welk geteekend is te s'Gravenhage op den 27 October, 1837, hebben tot hunne Gevolmagtigden, om ten dien einde eene Overeenkomst te sluiten, benoemd; te weten:

Hare Majesteit de Koningin van het Vereenigd Koninkryk van Groot Brittanje en Ierland, den Hoog Geboren Heer Henry John Burggraaf Palmerston, Baron Temple, Pair van Ierland, Lid van Harer Majesteits meest eervollen Geheimen Raad, Lid van het Parlement, Ridder Groot Kruis der zeer eervolle Orde van het Bad, en Harer Britannische Majesteits Voornaamsten Secretaris van Staat voor Buitenlandsche Zaken; en den Hoog Edel Gestreng Heer Henry Labouchere, Lid van Harer Britannische Majesteits meest eervollen Geheimen Raad, Lid van het Parlement, en Voorzitter der Commissie van den Geheimen Raad voor de Zaken van Handel en Kolonien;

En Zyne Majesteit de Koning der Nederlanden, Zyne Excellentie Jonkheer Gerrit Graaf Schimmelpenninck, Minister van Staat, Kommandeur der Koninklyke Ordre van den Nederland-

the Royal Order of Frederic of Wurtemberg, Envoy Extraordinary and Minister Plenipotentiary of His Majesty the King of the Netherlands at the Court of Her Britannic Majesty;

Who, after having communicated to each other their respective full powers, found in good and due form, have agreed that for and in lieu of the IInd and IIIrd Articles of the above-mentioned Treaty, the following Articles shall be substituted:

ART. I. No duties of tonnage, harbour, lighthouse, pilotage, quarantine, or other similar or corresponding duties, of whatever nature or under whatever denomination, shall be imposed in the ports of either country upon the vessels of the other country from whatever port or place arriving, which shall not be equally imposed in the like cases on national vessels; and in neither country shall any duty, charge, restriction, or prohibition, be imposed upon, nor any drawback, bounty, or allowance, be withheld from, any goods imported into or exported from such country in vessels of the other, which shall not be equally imposed upon or withheld from such goods, when so imported or exported in national vessels.

II. All vessels which, according to the laws of Great Britain,

schen Leeuw, Ridder van de Koninklyke Frederiks Orde van Wurtemberg, Buitengewoon Gezant en Gevolmagtigden Minister van Zyne Majesteit den Koning der Nederlanden by Hare Majesteit de Koningin van Groot Brittanje;

Welke, na elkander hunne wederzydsche volmagten, die in goeden en behoorlyken vorm zyn bevonden, te hebben medege-deeld, overeengekomen zyn, dat voor en in plaats van Artikelen II en III van het bovengemeld Traktaat, de volgende Artikelen zullen worden gesteld:

ART. I. Geene tonnen, haven, baken, loods, quarantaine gelden, of andere soortgelyke of daarmede overeenkomende regten, van welken aard of onder welke benaming ook, zullen in de havens van een der beide landen gelegd worden op de schepen van het ander land, om het even van welke haven of plaats aankomende, welke niet gelykelyk in dezelfde gevallen op nationale schepen gelegd zullen worden; en in geen der beide landen zal eenig regt, ongeld, beperking of verbod gelegd worden op, noch eenige teruggave van regten, premie, of korting onthouden worden aan eenige goederen ingevoerd in of uitgevoerd van, zoodanig land, in de schepen van het anderen, welk niet gelykelyk gelegd zal worden op, of onthouden worden aan zoodanige goederen, wanneer dezelve alzoö in of uitgevoerd worden met nationale schepen.

II. Alle schepen, die volgens de wetten van Groot Brittanje

are to be deemed British vessels, and all vessels which, according to the laws of the Netherlands, are to be deemed Netherland vessels, shall, for the purposes of this Convention, and of the said Treaty of the 27th of October, 1837, be deemed British vessels and Netherland vessels respectively.

III. If any Act should hereafter be passed by the legislature of either country, by which any of the privileges in regard to navigation and commerce which are respectively conceded by the British Act of Parliament of the 12th and 13th Victoria, cap. 29, and by the Netherland Law of the 8th of August, 1850, should be withdrawn, then and in such case, either of the High Contracting Parties shall be at liberty to terminate the present Convention, on giving to the other 6 weeks' notice of its wish to that effect.

IV. The present Convention shall be considered as additional to the above-mentioned Treaty of the 27th of October, 1837, and shall have the same duration as that Treaty, unless in the case provided for by Article III preceding. It shall be ratified, and the ratifications shall be exchanged at London as soon as may be within the space of 4 weeks from the date of its signature.

moeten worden beschouwd Britsche schepen te zyn, en alle schepen, die volgens de wetten van Nederland moeten beschouwd worden Nederlandsche schepen te zyn, zullen voor zoover de toepassing van deze overeenkomst en van het voornoemd Traktaat van 27 October, 1837, betreft, gehouden worden voor Britsche schepen en Nederlandsche schepen respectivelyk.

III. Indien eenige Wets-bepaling in het vervolg door de wetgeving van een der beide landen mogt worden daargesteld, waardoor een of meerdere der voorregten, met betrekking tot Handel en Scheepvaart, welke respectivelyk by de Britsche Akte van Parlement van 12 en 13 Victoria, cap. 29, en by de Nederlandsche wet van 8 Augustus, 1850, worden toegestaan, mogten worden ingetrokken, alsdan, in zoodanig geval, zal het elke der Hooge Contracteerende Partyen vry staan, om de tegenwoordige Overeenkomst te doen ophouden, mits aan de andere, 6 weken te voren, van derzelve verlangen dienaangaande kennis te geven.

IV. De tegenwoordige Overeenkomst zal worden beschouwd als byvoegsel tot het voornoemd Traktaat van 27 October, 1837, en zal van gelyken duur zyn als evengemeld Traktaat, ten zy in het geval by het voorgaande Artikel III voorzien. Dezelve zal worden bekrachtigd, en de bekrachtigingen zullen worden uitgewisseld te Londen zoodra mogelyk, binnen den tyd van 4 weken, van af den dag derzelvev ouderteekening.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the seals of their arms.

Done at London, the 27th day of March, in the year of our Lord 1851.

(L.S.) PALMERSTON.

(L.S.) HENRY LABOUCHERE.

(L.S.) G. SCHIMMELPENNINCK.

In oorkonde waarvan de wederzydsche Gevolmagtigden dezelve hebben onderteekend, en het zegel hunner wapenen daarop gesteld.

Gedaan te Londen, den 27 Maart, in het jaar Onzes Heeren 1851.

(L.S.) PALMERSTON.

(L.S.) HENRY LABOUCHERE.

(L.S.) G. SCHIMMELPENNINCK.

TREATY between Great Britain and New Granada, for the Suppression of the Slave Trade.—Signed at Bogotá, April 2, 1851.

[Ratifications exchanged at Bogotá, December 16, 1851.]

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, and the Republic of New Granada, being equally animated by a sincere desire to co-operate for the utter extinction of the detestable and criminal traffic in slaves, have resolved to conclude a Treaty for the special purpose of attaining this object; and have respectively named for this purpose as their Plenipotentiaries, to wit:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, Daniel Florence O'Leary, Esquire, Her Britannic Majesty's Chargé d'Affaires in the Republic of New Granada;

And the President of the Republic of New Granada, Señor Victoriano de Diego Paredes, Granadian Secretary of State for Foreign Affairs;

LA República de la Nueva Granada, y Su Majestad la Reina del Reino Unido de la Gran Bretaña é Irlanda, estando igualmente animadas por un sincero deseo de co-operar á la total estincion del detestable y criminal trafico de esclavos, han resuelto concluir un Tratado para el especial intento de conseguir este objeto; y han nombrado respectivamente para este fin como sus Plenipotenciarios, á saber:

El Presidente de la República de la Nueva Granada, al Señor Victoriano de Diego Paredes, Secretario de Estado en el Despacho de Relaciones Exteriores de la Nueva Granada;

Y Su Majestad la Reina del Reino Unido de la Gran Bretaña é Irlanda, al Señor Daniel Florencio O'Leary, encargado de Negocios de Su Majestad Británica en la República de la Nueva Granada;

Who, having communicated to each other their respective full powers, and found them to be in due and proper form, have agreed upon and concluded the following Articles :

ART. I. The introduction of slaves into the territory of New Granada having been prohibited by law, all traffic in slaves in any and every part of the world is hereby declared to be henceforward and for ever prohibited to Granadian citizens, as it has long been by the law of Great Britain for all British subjects; and all Granadian citizens who shall engage in the Slave Trade, by sea or by land, or who shall make use of the Granadian flag for the transport of slaves from any place to any other place, shall be treated and punished as pirates, conformably to the laws of New Granada.

II. In order more completely to accomplish the object of the present Treaty, the 2 High Contracting Parties agree to authorize some of the ships of war of their navies, respectively, to visit and search merchant-vessels of the 2 nations which may be met with at sea within the limits to be hereinafter specified, and which, by the direction of their course, or upon other reasonable grounds, shall afford motives for suspecting that they are engaged in the Slave Trade; and likewise, under the circumstances mentioned in this Treaty, to detain, carry away, or send away such

Quienes, habiendose comunicado sus respectivos plenos poderes, y hallado que estaban en propia y debida forma, han acordado y concluido les Articulos siguientes :

ART. I. Habiendose prohibido por ley la introduccion de esclavos al territorio de la Nueva Granada, se declara por el presente Tratado prohibido en adelante y para siempre á los ciudadanos Granadinos todo trafico de esclavos en todas y cada una de las partes del mundo, como lo ha estado hace mucho tiempo por las leyes de la Gran Bretaña para todos los subditos Britanicos; y todos los ciudadanos Granadinos que se ocuparen en el Comercio de Esclavos por mar ó por tierra, ó que se hicieren uso de la bandera Granadina par el trasporte de esclavos de un lugar á otro cualquiera, serán tratados y castigados como piratas, conforme á las leyes de la Nueva Granada.

II. A fin de efectuar mas completamente el objeto del presente Tratado, las 2 Altas Partes Contratantes convienen en autorisar á algunos de los buques de guerra de sus marinas respectivas para visitar y registrar á los buques mercantes de las 2 naciones, que sean encontrados en el mar dentro de los limites que se especificarán adelante, y que por la direccion de su rumbo, ó por otros fundamentos razonables, suministren motivos para sospechar que estan ocupados en el Comercio de Esclavos; é igualmente, bajo las circunstancias mencionadas en este Tratado, para detener, lle-

vessels, in order that they may be brought to trial in the manner hereinafter agreed upon.

III. The limits within which the merchant-vessels of the 2 nations shall be subject to the visit and search mentioned in the preceding Article, shall be the following:

1st. From the 35th degree of west longitude, reckoned from the meridian of London, to the coast of Africa; and from the 15th degree of north latitude to the 20th degree of south latitude.

2nd. All round the Island of Madagascar, to the extent of 30 leagues from that island.

3rd. All along the east coast of Africa, from latitude 10 degrees north of the Equator, to the 26th degree of south latitude, and to the extent of 30 leagues from that coast.

4th. The same distance all round from the coasts of the Island of Cuba.

5th. The same distance from coasts of the Island of Puerto Rico; and

6th. The same distance from the coasts of Brazil.

It is however understood, that a suspected vessel descried and begun to be chased by the cruisers, whilst within the said space of 30 leagues, may be searched by them beyond those limits, if, without ever having lost sight of her, they should succeed in coming up with her at

vase, ó enviar semejantes buques, á fin de que sean sometidos á juicio de la manera acordada en este Tratado.

III. Los limites dentro de los cuales los bajeles mercantes de las 2 naciones estarán sujetos á la visita y registro mencionados en el Artículo precedente, serán los siguientes:

1°. Desde el grado 35 de longitud occidental, contado desde el meridiano de Londres, hasta la costa de Africa; y desde el grado 15 de latitud septentrional hasta el grado 20 de latitud meridional.

2° Todo alrededor de la Isla de Madagascar, hasta la estension de 30 leguas contadas desde aquella isla.

3°. Todo á lo largo de la costa oriental de Africa, desde el 10 grado de latitud al norte del Ecuador, hasta el grado 26 de latitud meridional, y hasta la estension de 30 leguas de distancia de aquella costa.

4°. La misma distancia todo alrededor de las costas de la Isla de Cuba.

5°. La misma distancia de las costas de la Isla de Puerto Rico; y

6°. La misma distancia de las costas del Brasil.

Se entiende sin embargo, que un buque sospechado, avistado y al cual haya comenzado á darsele caza por los cruceros, á tiempo que esté dentro del dicho espacio de 30 leguas, puede ser registrado por ellos mas alla de aquellos limites, si, sin haberlo perdido de vista, se consiguere alcanzarlo á

a greater distance from any of the above-mentioned coasts.

IV. All merchant-vessels of the 2 nations which shall be visited in virtue of this Treaty, and which shall be found either with slaves on board, or equipped for Slave Trade, shall be detained, and shall be sent or carried to one of the ports under British jurisdiction, if the vessel detained should be British, or to one of the ports of New Granada, if the vessel detained should be Granadian, to be tried by the courts which take cognizance of the crime of piracy, according to the laws of the respective countries.

And such vessels, with the whole of their cargoes, shall be subject to the penalty of confiscation for having been found engaged in the Slave Trade.

V. Every merchant-vessel, British or Granadian, which shall be visited in virtue of the provisions contained in the Articles II and III of the present Treaty, may lawfully be detained, and be sent or brought before the proper tribunals, according to the nation to which it may belong, if any one or more of the things hereinafter specified shall be found in her outfit or equipment:

1st. Hatches with open gratings, instead of the close hatches which are usual in merchant-vessels.

2nd. Divisions or bulkheads in the hold or on deck, in greater number than are necessary for vessels engaged in lawful trade.

mayor distancia de cualquiera de las costas arriba mencionadas.

IV. Todos los buques mercantes de las 2 naciones que fueren visitados en virtud de este Tratado, y que fueren hallados, ya sea con esclavos abordo, ó equipados para el Comercio de Esclavos, serán detenidos, y serán enviados ó llevados á uno de los puertos que esten bajo la jurisdiccion Britanica, si el buque detenido fuere Britanico, ó á uno de los puertos de la Nueva Granada, si el buque detenido fuere Granadino; y serán juzgados por los tribunales que conocen del crimen de pirateria, conforme á las leyes de los respectivos paises.

Y tales buques, con el total de sus cargamentos, quedarán sujetos á la pena confiscacion por haberselos hallado ocupados en el Comercio de Esclavos.

V. Todo buque mercante, Britanico ó Granadino, que fuere visitado en virtud de las estipulaciones contenidas en los Artículos II y III del presente Tratado, puede ser legalmente detenido, y enviado ó presentado á los tribunales competentes, segun la nacion á que pertenezca, si una ó mas de las cosas especificadas á continuacion se encontraren en su apresto ó equipo:

1°. Escotillas con rejas abiertas, en lugar de las escotillas cerradas que se usan en los buques mercantes.

2°. Divisiones ó mamparas en la bodega ó sobre cubierta, en mayor numero de las que son necesarias para los buques ocupados en comercio legal.

3rd. Spare plank fitted for being laid down as a second or slave-deck.

4th. Shackles, bolts, or handcuffs.

5th. A larger quantity of water in casks or tanks than is requisite for the consumption of the crew of the vessel as a merchant-vessel.

6th. An extraordinary number of water-casks, or of other receptacles for holding liquid; unless the master shall produce a certificate from the Custom-House at the place from which he cleared outwards, stating that sufficient security had been given by the owners of such vessel that such extra quantity of casks or of other receptacles for holding liquid, should only be used to hold palm-oil, or for other purposes of lawful commerce.

7. A greater quantity of mess-tubs or kids than are requisite for the use of the crew of the vessel as a merchant-vessel.

8th. A boiler, or other cooking apparatus of an unusual size, and larger, or fitted for being made larger, than requisite for the use of the crew of the vessel as a merchant-vessel; or more than one boiler or other cooking apparatus of the ordinary size.

9th. An extraordinary quantity of rice, of the flour of Brazil, manioc or cassada, commonly called farinha; of maize, or of Indian corn, or of any other article of food whatever, beyond what

3º. Tablazon de repuesto adaptado para colocarlo como una segunda cubierta ó cubierta para esclavos.

4º. Cadenas, grillos, ó esposas.

5º. Mayor cantidad de agua en barriles ó aljibes de la que se requiere para el consumo de la tripulacion del buque como buque mercante.

6º. Un numero extraordinario de toneles para agua, ó de otros receptaculos para guardar liquidos; á no ser que el capitan presente un certificado de la aduana del lugar de donde fué despachado, que manifieste que se habia dado por los propietarios de tal buque suficiente seguridad de que aquella cantidad sobrante de barriles ó de otros receptaculos para echar liquidos solo se usaria para echar aceite de palma, ó para otros fines de comercio legal.

7º. Mayor cantidad de vasijas para el rancho ó cubetas, de las que son necesarias para el uso de la tripulacion del buque como buque mercante.

8º. Un caldero ú otro aparato para cocinar de tamaño no usado, y mas grande, ó acomodado para hacerlo mas grande, de lo que se requiere para el uso de la tripulacion del buque como buque mercante; ó mas de un caldero ú otro aparato de cocinar del grandor ordinario.

9º. Una extraordinaria cantidad de arroz ó de la harina de yuca del Brasil, ó casabe comunmente llamada farinha, de maíz ó trigo de Indias, ó de algun otro articulo de alimento cualquiera,

might probably be requisite for the use of the crew.

10th. A quantity of mats or matting greater than is necessary for the use of the vessel as a merchant-vessel.

The articles enumerated in the 8th, 9th, and 10th paragraphs, when found on board, shall not expose the vessel to detention or trial, whenever such articles shall appear as entered in the manifest as part of the cargo for trade.

Any one or more of the several things above enumerated, if proved to have been found on board, shall be considered as *primâ facie* evidence of the actual employment of the vessel in the Slave Trade; and the vessel shall thereupon be condemned, and be declared lawful prize, unless clear and undisputable evidence, on the part of the master or owners, shall establish, to the satisfaction of the court, that such vessel was, at the time of her detention or capture, employed in some legal pursuit; and that such of the several things above enumerated, as were found on board her, at the time of her detention, were needed for legal purposes on that particular voyage.

VI. In order to regulate the mode of carrying into execution the visit of merchant-vessels of the 2 nations, by the cruisers charged with the duty of preventing the Slave Trade, it is agreed that the commanders of such cruisers shall be furnished with copies of

mas de lo que pudiera probablemente necesitarse para el uso de la tripulacion.

10°. Una cantidad de esteras ó palletas mayor de la que es necesaria para el uso del buque como buque mercante.

Cuando se encuentren abordo los articulos enumerados en los paragrafos 8°, 9°, y 10°, no espondrán el buque á detencion ni á juicio, siempre que tales articulos aparezcan puestos en el manifiesto como parte del cargamento para el comercio.

Si se probare que una ó mas de las varias cosas arriba enumeradas han sido encontradas abordo, ellas serán consideradas como testimonio *primâ facie* (á primera vista) del actual empleo del buque en el Comercio de Esclavos; y en consecuencia el buque será condenado, y declarado presa legal, á menos que pruebas claras é indisputables, por parte del capitán ó de los propietarios, confirmen á satisfaccion del tribunal, que semejante buque estaba, al tiempo de su detencion ó captura, empleado en alguna ocupacion legal; y que aquellas de las diversas cosas arriba enumeradas que hallaron á su bordo al tiempo de su detencion, se necesitaban para objetos legales en aquel viage particular.

VI. Con el fin de arreglar el modo de llevar á efecto la visita de los buques mercantes de las 2 naciones, por los cruceros encargados de la obligacion de impedir el Comercio de Esclavos, se conviene en que los comandantes de tales cruceros serán

this Treaty in English and in Spanish, and with copies of the instructions contained in the Appendix annexed thereto, which instructions shall be considered as an integral part of the present Treaty.

VII. If the commanding officer of any of those ships of the navies of Great Britain and of the Granadian Republic respectively, which shall be duly commissioned according to the provisions of this Treaty, shall deviate in any respect from the stipulations of the said Treaty, or from the instructions annexed to it, the Government which shall conceive itself to be wronged thereby, shall be entitled to demand reparation, and in such case, the Government to which such commanding officer may belong, binds itself to cause inquiry to be made into the subject matter of the complaint, and to inflict upon the said officer a punishment proportioned to the transgression committed.

VIII. The 2 High Contracting Parties mutually engage to make good the damages and losses which may be incurred by the illegal detention of the vessels of their respective subjects or citizens; it being understood that the Government to which the capturing ship belongs, shall pay the damages and losses occasioned to the captured vessel; and that this payment shall be made within the term of one year reckoned from the day on which the proper tribunal shall have pronounced a definitive sentence on the vessel for the

provistos de copias de este Tratado en Ingles y en Español, y de copias de las instrucciones contenidas en el Appendice anexo á el, las cuales instrucciones se considerarán como parte integrante del presente Tratado.

VII. Si el oficial comandante de cualquiera de aquellos buques de las marinas de la Gran Bretaña y de la República Granadina, respectivamente, que fuere debidamente comisionado conforme á las estipulaciones de este Tratado, se desviare bajo cualquier aspecto de las estipulaciones del dicho Tratado, ó de las instrucciones anexas á él, el Gobierno que se considere agraviado por ello, tendrá derecho á pedir reparacion; y en tal caso, el Gobierno á quien pertenezca tal oficial comandante, se obliga á mandar hacer averiguacion sobre la materia de la queja, y á infligir al oficial un castigo proporcionado á la transgresion cometida.

VIII. Las 2 Altas Partes Contratantes se comprometen mutuamente á pagar los daños y perdidas en que se incurra por la detencion ilegal de los buques de sus respectivos subditos ó ciudadanos; entendiendose que el Gobierno á quien pertenece el buque apresador pagará los daños y perdidas ocasionados al buque capturado; y que este pago se hará dentro del termino de un año contado desde el dia en que el tribunal competente haya pronunciado sentencia definitiva respecto del buque por

detention of which such compensation is claimed.

IX. If any of the things specified in Article V of this Treaty shall be found in any merchant-vessel detained under this Treaty, no compensation for losses, damages, or expenses, consequent upon the detention of such vessel, shall, in any case, be granted either to her master, or to her owner, or to any other person interested in her equipment or cargo, even though the proper tribunal should not pronounce any sentence of condemnation in consequence of her detention.

X. It is hereby agreed between the 2 High Contracting Parties, that in all cases in which a vessel shall be detained under this Treaty, by their respective cruizers, as having been engaged in the Slave Trade, or as having been fitted out for the purposes thereof, and shall in consequence thereof, be adjudged and condemned by the proper tribunal, the said vessel shall, immediately after condemnation, be broken up entirely into several parts, so as to be useless as a vessel, and shall be sold in separate parts, after having been so broken up.

XI. The visit and detention of vessels, in pursuance of Article II of this Treaty, shall be effected only by such of the ships of the British and Granadian navies respectively, as shall be provided with the special instructions contained in the Appendix annexed to this Treaty; and each of the

cuya detencion se reclame tal compensacion.

IX. Si cualquiera de las cosas especificadas en el Artículo V de este Tratado fuere hallada en algun buque mercante detenido con arreglo á este Tratado, no se concederá en ningun caso compensacion por perdidas, daños, ó costos consiguientes á la detencion de tal buque ni á su capitan, ni á su dueño, ni á cualquiera otra persona interesada en su equipo ó cargamento, aunque el tribunal competente no pronuncie sentencia alguna de condenacion á consecuencia de su detencion.

X. Se conviene entre las 2 Altas Partes Contratantes, que en todos los casos en que un buque fuere detenido, conforme á este Tratado, por sus respectivos cruceros, por haber estado ocupado en el Comercio de Esclavos, ó por haber sido equipado para los objetos de tal comercio, y á consecuencia de esto fuere sentenciado y condenado por el tribunal competente, el dicho buque, inmediatamente despues de la condenacion, será desbaratado enteramente en diferentes partes, de manera que queda inutil en calidad de buque, y será vendido en partes separadas, despues de haber sido asi desbaratado.

XI. La visita y detencion de buques, en cumplimiento del Artículo II de este Tratado, se efectuarán solo por aquellos de los buques de las marinas Britanica y Granadina respectivamente, que fueren provistos con las instrucciones especiales contenidas en el Apendice anexo á

2 High Contracting Parties shall from time to time communicate to each other the names of the ships of war which are furnished with such instructions, the force of each ship, and the names of their several commanders.

XII. It is by no means to be understood, that by the provisions of the present Treaty, New Granada shall be under any obligation to fit out cruizers expressly to aid in the pursuit of vessels engaged in the Slave Trade.

All the slaves who are found on board a merchant-vessel detained either by British or Granadian cruizers, in conformity with the stipulations of this Treaty, shall be placed at the disposal of Her Britannic Majesty's Government at the time and at the several ports which shall be stipulated in the Appendix annexed to this Treaty, and shall immediately be set at liberty, and shall be secured in the permanent enjoyment of their freedom.

XIV. The High Contracting Parties to the present Treaty mutually agree, that if, at the expiration of 24 years, reckoned from the date of the exchange of the ratifications thereof, it shall appear desirable to either of the Contracting Parties, either on account of the trade in slaves having ceased, or for other reasons, that the present Treaty should cease and determine, it shall be lawful for that one of the

este Tratado; y cada una de las 2 Altas Partes Contratantes comunicará de tiempo en tiempo á la otra los nombres de los buques de guerra que esten provistos de semejantes instrucciones, la fuerza de cada buque, y los nombres de sus diversos Comandantes.

XII. De ninguna manera debe entenderse, que por las estipulaciones del presente Tratado, la Nueva Granada contraiga obligacion alguna de equipar cruceros espresamente para ayudar en la persecucion de los buques ocupados en el Comercio de Esclavos.

XIII. Todos los esclavos que se encuentren abordo de un buque mercante detenido, ya sea por cruceros Britanicos ó Granadinos, en conformidad con las estipulaciones de éste Tratado, serán puestos á la disposicion del Gobierno de Su Majestad Britanica en el tiempo y en los diferentes puertos que ce estipularán en el Apendice anexo á este Tratado; y serán inmediatamente puestos en libertad, y se les asegurará en el goce permanente de ella.

XIV. Las 2 Altas Partes Contratantes del presente Tratado convienen mutuamente, en que si al fin de 24 años, contados desde la fecha del cange de las ratificaciones de él, pareciere conveniente á cualquiera de las Partes, sea con motivo de haber cesado el comercio de esclavos, ó por otras razones, que cese y termine el presente Tratado, será lícito para aquella de las Partes Contratantes el dar

Contracting Parties to give notice thereof to the other Contracting Party; and the Treaty shall cease and determine accordingly at the end of one year from the date of the receipt of such notice.

And it is clearly understood, that if, in pursuance of the right which the High Contracting Parties reserve to themselves by this Article, the present Treaty should be annulled, at any time anterior to the total and final cessation of the traffic in slaves, the obligations contracted towards Great Britain by the Republic of New Granada, by Article XIII of the Treaty of 1825, "to co-operate with Great Britain for the total abolition of the Slave Trade," will nevertheless remain in full force until such total and final abolition is effected.

XV. The present Treaty, consisting of 15 Articles, shall come into operation on the 7th of March, 1852. The Treaty shall be ratified, and the ratifications thereof exchanged in Bogotá, within the space of 9 months from this date, or sooner if possible.

In witness whereof the respective Plenipotentiaries have signed the same, and have thereunto affixed their respective seals.

Done at Bogotá, this 2nd day of April, in the year of our Lord 1851.

(L.S.) DANIEL F.
O'LEARY.

(L.S.) VICT. DE D.
PAREDES.

noticia de ello á la otra; y el Tratado cesará y terminará en conformidad, al fin de un año contado desde la fecha del recibo de tal noticia.

Y se entiende claramente, que si en ejercicio del derecho que las Altas Partes Contratantes se reservan por este Artículo, el presente Tratado fuere anulado en cualquier tiempo anterior á la total cesacion del trafico de esclavos, las obligaciones contraidas para con la Gran Bretaña por la Republica de la Nueva Granada por el Artículo XIII del Tratado de 1825, "de co-operar con la Gran Bretaña para la total abolicion del Comercio de Esclavos," permanecerán sin embargo en plena fuerza, hasta que se efectue semejante total y final abolicion.

XV. El presente Tratado, que consta de Quince Artículos, tendrá efecto desde el dia 7 de Marzo de 1852; y será ratificado, y las ratificaciones cangeadas en Bogotá, dentro del termino de nueve meses contados desde esta fecha, ó mas pronto si fuere posible.

En testimonio de lo cual los respectivos Plenipotenciarios lo han firmado, y le han fijado sus respectivos sellos.

Fecho en Bogotá en este dia, 2 de Abril, en el año de nuestro Señor 1851.

(L.S.) VICT. DE D.
PAREDES.

(L.S.) DANIEL F.
O'LEARY.

APPENDIX, *which contains the Instructions for the Ships of the British and Granadian Navies employed in preventing the Slave Trade.*

ART. I. THE commander of any ship belonging to the navy of Her Britannic Majesty or of the Republic of New Granada, which shall be furnished with these instructions, shall have a right to visit and search, within the limits mentioned in Article III of the Treaty signed this day, any British or Granadian merchant vessel suspected of being engaged in Slave Trade, or of being fitted out for the purposes thereof; and if from the search it shall appear that the suspicions entertained are well-founded, such commander shall have the right of detaining such vessel; and shall thereupon, as soon as possible, carry or send the vessel so captured to any one of the ports hereinafter mentioned, which shall be nearest to the place where the vessel was detained, or which such commander shall, upon his own responsibility, think can be soonest reached from such place, in order to be tried according to the provisions of Article IV of this Treaty.

II. Whenever a ship of war of either of the 2 High Contracting Parties, duly authorized as aforesaid, shall meet a merchant vessel liable to be visited under the provisions of the said Treaty, the search of such vessel shall be conducted in the mildest

APENDICE, *qui contiene las Instrucciones para los Buques de las Marinas Britanica y Granadina empleados en impedir el Comercio de Esclavos.*

ART. I. EL comandante de cualquier buque perteneciente á la marina de Su Majestad Britanica ó de la República de Nueva Granada, que fuere provisto de estas Instrucciones, tendrá derecho de visitar y registrar, dentro de los límites mencionados en el Artículo III del Tratado firmado hoy, á cualquier buque mercante Britanico ó Granadino sospechado de estar ocupado en el Comercio de Esclavos, ó de estar equipado para los fines de él; y si del registro apareciere que las sospechas concebidas son bien fundadas, dicho comandante tendrá el derecho de detener semejante buque: y en consecuencia llevará ó remitirá el buque así capturado tan pronto como fuere posible á cualquiera de los puertos que se mencionarán adelante que estuviere mas proximo al parage donde fué detenido el buque, ó al que dicho comandante crea, bajo su responsabilidad, que puede llegarse mas presto desde tal parage, á fin de que sea juzgado conforme á las estipulaciones del Artículo IV de este Tratado.

II. Siempre que un buque de guerra de cualquiera de las dos Altas Partes Contratantes, debidamente autorizado como se ha dicho, encuentre á un buque mercante sujeto á ser visitado con arreglo á las estipulaciones del dicho Tratado, el registro de

manner, and with every attention which ought to be observed between allied and friendly nations; and the search shall in all cases be made by an officer holding a rank not lower than that of Lieutenant in the British or Granadian navies, respectively (unless the command shall by reason of death, or otherwise, have devolved upon an officer of inferior rank), or by the officer who at the time shall be second in command of the ship by which the search is made.

III. The commander of any ship of war of the 2 nations, duly authorized as aforesaid, who may detain any merchant-vessel, in pursuance of the present instructions, shall leave on board the vessel so detained, the master, the mate or boatswain, and 2 or 3 at least of the crew thereof, the whole of the slaves, if any, and all the cargo.

The captor shall at the time of detention draw up in writing an authentic declaration, which shall exhibit the state in which he found the detained vessel; and such declaration shall be signed by himself, and shall be given in or sent in, together with the captured vessel, to the court before which such vessel shall be carried or sent for adjudication.

The captor shall deliver to the master of the detained vessel a certified list of the papers seized on board the same, as well as a statement of the number of slaves,

tal buque será ejecutado de la manera mas suave, y con todas las atenciones que deben observarse entre naciones aliadas y amigas; y el registro se hará en todos los casos por un oficial que tenga un rango que no sea inferior al de Teniente en las marinas Britanica ó Granadina, respectivamente (á no ser que el mando haya recaído por razon de muerte ó por otro motivo, en un oficial de rango inferior), ó por el oficial que en aquel tiempo fuere segundo en el mando del buque por el cual se hace el registro.

III. El comandante de cualquier buque de guerra de las 2 naciones, debidamente autorizado como se ha dicho, que detenga algun buque mercante, en cumplimiento de las presentes Instrucciones, dejará abordo del buque así detenido, al maestre, al contra-maestre ó piloto, y á 2 ó 3 hombres, por lo menos, de la tripulacion de él, el total de los esclavos, si hubiere algunos, y todo el cargamento.

El apresador, al tiempo de la detencion, estenderá por escrito una declaracion autentica que manifieste el estado en que él encontró al buque detenido; y tal declaracion será firmada por él mismo, y será dada ó remitida, juntamente con el buque capturado, al tribunal ante el cual fuere llevado tal buque ó enviado para su juzgamiento.

El apresador entregará al capitán del buque detenido una lista certificada de los papeles embargados abordo del mismo, igualmente que un estado del

if any, found on board the vessel at the moment of detention.

In the authenticated declaration which the captor is hereby required to make, as well as in the certified list of the papers seized, the captor shall insert his own name, the name of the capturing ship, the latitude and longitude of the place where the detention shall have been made, and the number of slaves, if any, found on board the vessel at the time of her detention.

The officer in charge of the vessel detained shall, at the time when he brings the vessel's papers to the proper tribunal, deliver into the court a paper signed by himself, and verified on oath, stating any changes which may have taken place in respect to the vessel, her crew, the slaves, if any, and her cargo, between the period of her detention and the time of delivering in such paper.

IV. The slaves shall not be disembarked till after the vessel which contains them shall have arrived at the place of adjudication; and even after the vessel has arrived at such place, they shall not be landed without the permission of the proper tribunal, except in the cases hereinafter specified in respect to slaves found on board Granadian vessels.

But if urgent reasons, deduced from the length of the voyage, from the state of health of the slaves, or from other causes, should require that either the

numero de esclavos, si hubiere algunos hallados abordo en el momento de la detencion.

En la declaracion autentica que se exige aqui que el apresador haga, lo mismo que en la lista certificada de los papeles embarcados, el apresador insertará su propia nombre, el nombre del buque apresante, la latitud y longitud del sitio donde se hubiere hecho la detencion, y el numero de esclavos, si hubiere algunos hallados abordo del buque al tiempo de su detencion.

El oficial encargado del buque detenido, al tiempo que lleve los papeles del buque al tribunal competente, entregará en dicho tribunal un papel firmado por él mismo, y comprobado con juramento, que manifieste cualesquiera mutaciones que hayan tenido lugar con respecto al buque, á su tripulacion, á los esclavos, si hubiere algunos, y á su cargamento, entre el periodo de su detencion y el tiempo de entregar semejante papel.

IV. Los esclavos no serán desembarcados hasta despues que el buque que los contiene haya llegado al lugar del juzgamiento; y aun despues que el buque haya llegado á tal lugar, no serán desembarcados sin el permiso del tribunal competente, excepto en los casos que van á especificarse aqui respecto de los esclavos hallados abordo de buques Granadinos.

Pero si razones urgentes, deducidas de lo largo del viage, del estado de salud de los esclavos, ó de otras causas, requirieren que el todo ó una porcion de los

whole or a portion of the slaves should be disembarked, or should be transhipped before the vessel can arrive at the port at which the proper tribunal is established, or after her arrival there, and before the adjudication, the commander of the capturing ship may take upon himself the responsibility of so disembarking or transhipping the slaves; provided that such necessity, and the causes thereof, be stated in a certificate in proper form, and that this certificate be entered at the time in the log-book of the detained vessel.

V. All such British vessels as shall be detained on the Brazilian station by Granadian cruizers, shall be carried and delivered up to the British jurisdiction at the colony of Demerara.

All such British vessels as shall be detained on the West India station by Granadian cruizers, shall be carried and delivered up to the British jurisdiction at Port Royal, in Jamaica.

All such British vessels as shall be detained on the Madagascar station, or on the east coast of Africa, by Granadian cruizers, shall be carried and delivered up to the British jurisdiction at the Cape of Good Hope, or at the Mauritius, as may be most convenient.

All such British vessels as shall be detained on the African station by Granadian cruizers, shall be carried and delivered up to British jurisdiction at Bathurst, on the River Gambia.

esclavos hayan de desembarcase ó de trasbordarse antes que el buque pueda llegar al puerto en que esté establecido el tribunal competente, ó despues de su llegada alli y antes del juzgamiento, el comandante del buque apresador puede tomar sobre si la responsabilidad de desembarcar ó trasbordar en este caso los esclavos, con tal que esta necesidad, y las causas de ella, se especifiquen en un certificado en debida forma, y que este certificado se asiente en aquella sazón en el diario de navegacion del buque detenido.

V. Todos aquellos buques Británicos que fueren detenidos en la estacion del Brasil por cruceros Granadinos, serán llevados y entregados á la jurisdiccion Británica en la colonia de Demerara.

Todos los buques Británicos que fueren detenidos en la estacion de las Indias Occidentales por cruceros Granadinos, serán llevados y entregados á la jurisdiccion Británica en Puerto Real en Jamaica.

Todos los buques Británicos que fueren detenidos en la estacion de Madagascar, ó en la costa oriental de Africa, por cruceros Granadinos, serán llevados y entregados á la jurisdiccion Británica en el Cabo de Buena Esperanza, ó en las Islas Mauricias, segun fuere mas conveniente.

Todos los buques Británicos que fueren detenidos en la estacion Africana por cruceros Granadinos, serán llevados y entregados á la jurisdiccion Británica en Bathurst en el Rio Gambia.

All such Granadian vessels as shall be detained on the Brazilian and West India stations, as well as on those of Madagascar and Africa, by British cruizers, shall be carried and delivered up to the Granadian jurisdiction at any of the ports belonging to the Republic of New Granada, except when slaves shall be found on board at the time of the capture; in which case, the vessel shall, in the first instance, be sent or carried to deposit the slaves at the port to which the vessel would have been taken for trial if she had been detained under the British flag. The vessel, with the rest of her cargo and crew, shall afterwards be sent on and delivered to the Granadian jurisdiction at any of the ports belonging to the Republic, as above stipulated.

The undersigned Plenipotentiaries have agreed, in conformity with Article VI of the Treaty signed by them on this day, the 2nd day of April, in the year of our Lord 1851, that the present Appendix, which contains 5 Articles, shall be annexed to the said Treaty, and shall be considered as an integral part thereof.

The 2nd day of April, in the year of our Lord 1851.

(L.S.) DANIEL F.
O'LEARY.

(L.S.) VICT. DE D.
PAREDES.

Todos los buques Granadinos que fueren detenidos por cruceros Britanicos en las estaciones del Brasil y de las Indias Occidentales, igualmente que en las de Madagascar y Africa, serán llevados y entregados á la jurisdiccion Granadina en cualquiera de los puertos pertenecientes á la República de la Nueva Granada, excepto cuando see hayan encontrado abordo esclavos al tiempo de la captura; en cuyo evento el buque en el primer caso será enviado ó llevado á depositar los esclavos al puerto en que el buque habria sido tomado para su juzgamiento, si hubiese sido detenido bajo la bandera Britanica. El buque, con el resto de su cargamento y con su tripulacion, será despues enviado y entregado á la jurisdiccion Granadina en cualquiera de los puertos pertenecientes á la Republica, como se ha estipulado arriba.

Los infrascritos Plenipotenciarios han convenido, en conformidad con el Artículo VI del Tratado firmado por ellos en este dia, que es el dia 2° de Abril, en el año de nuestro Señor 1851, que el presente Apendice, que contiene 5 Articulos, será agregado al dicho Tratado, y se le considerará como parte integrante de él.

A 2° de Abril, en el año de nuestro Señor 1851.

(L.S.) VICT. DE D.
PAREDES.

(L.S.) DANIEL F.
O'LEARY.

CONVENTION between Great Britain and Peru, for the Regulation of the Mail Communication between Great Britain and Peru.—Signed at Lima, August 13, 1851.

[Ratifications exchanged at Lima, June 1, 1852.]

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, and the President of the Republic of Peru, being desirous to promote the friendly relations existing between the 2 countries, and to regulate by a Convention, the communication by mails between the British dominions and the Republic of Peru, have named for this purpose, that is to say :

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, William Pitt Adams, Esquire, the Chargé d'Affaires of Her Britannic Majesty to the Republic of Peru; and the President of the Republic of Peru, General Don Juan Crisostomo Torrico, Minister of War and Marine, and charged, *ad interim*, with the Department of Foreign Affairs :

Who, having communicated to each other their respective powers, and found them to be in due form, have agreed upon the following Articles :

ART. I. There shall be a periodical and regular communication between the United Kingdom of Great Britain and Ireland, and the Republic of Peru for the transmission of letters, newspapers, courses of exchange, prices-current, and other printed papers, which in Great Britain are allowed to pass by the post

EL Presidente de la República del Perú, y Su Magestad la Reyna del Reyno Unido de la Gran Bretaña é Irlanda, deseando promover las relaciones de amistad que existen entre 2 paises, y regularizar por medio de una Convencion, las comunicaciones por correos entre la República del Perú y los dominios Britanicos, han nombrado con este objeto, á saber :

El Presidente de la República del Perú, al General Don Juan Crisostomo Torrico, Ministro de Guerra y Marina, y encargado, *ad interim*, del Despacho de Relaciones Exteriores; y Su Magestad la Reyna del Reyno Unido de la Gran Bretaña é Irlanda, al Caballero Guillermo Pitt Adams, Encargado de Negocios de Su Magestad Británica cerca del Gobierno del Perú :

Los que, habiendose manifestado sus respectivos poderes, y hallandolos en buena forma, han convenido en los Articulos siguientes :

ART. I. Habrá una comunicacion periódica y regular entre la República del Perú y el Reyno Unido de la Gran Bretaña é Irlanda, para la trasmision de cartas, periódicos, boletines de bolsa, listas de precios corrientes, y otros papeles impresos, cuya trasmision por el correo á precios moderados se permite en la Gran

at reduced rates; as well such as may originate in the one country and be addressed to the other, as those which, in conformity with the stipulations of the present Convention, may be sent in transit through the respective territories of the Contracting Parties.

II. The conveyance by sea of the letters and printed papers mentioned in the preceding Article, as well direct between the 2 countries, as to and from ports intermediate between the 2 countries, and from one port of Peru to another, shall take place once or twice in every month, as long as the British Government shall deem it expedient to maintain the communication, by means of British steam-vessels destined for the conveyance of the mails, whether such vessels may belong to the royal navy, or to private individuals with whom the Government of Her Britannic Majesty may contract for that purpose.

III. The packet-boats shall, so long as the British Government shall deem it expedient to maintain the communication, arrive at and depart from such ports in Peru as it may be deemed expedient to touch at, once or twice in every month, with as much regularity as the nature of the service will permit. They shall be allowed to enter the ports of the Republic, and to depart from them, at all hours, and shall not be subject to arrest, sequestration, or embargo.

If the said packets should be

Bretaña; comprendiendo así los que salen ó se publican en uno de los dos países y se dirijen al otro, como los que, segun las estipulaciones de la presente Convencion, se remitan en transito pos los respectivos territorios de las Partes Contratantes.

II. La conduccion por mar de las cartas y papeles impresos de que se hace mencion en el Artículo anterior, tanto en derechura entre los 2 países, como con escala ó desde los puertos intermedios entre 2 países, y de uno á otro puerto del Perú, se verificará una ó dos veces en cada mes, mientras el Gobierno Británico tenga por conveniente mantener la comunicacion, por medio de buques de vapor Británicos destinados para la conduccion de las balijas, bien sea que esos buques pertenezcan á la marina real, ó á particulares con quienes al efecto contrate el Gobierno de Su Magestad Británica.

III. Los vapores, mientras el Gobierno Británico estime conveniente mantener la comunicacion, llegarán y saldrán de aquellos puertos del Perú en que se crea conveniente tocar, una ó dos veces en cada mes, con toda la regularidad que permita la naturaleza del servicio. Podrán salir y entrar de los puertos de la Republica á cualquier hora, y no estarán sujetos á detencion, secuestro, ó embargo.

Si dichos paquetes son buques

vessels belonging to the British Government, or in the service of the British Government, they shall be considered and treated as ships of war, and shall be entitled to the same honours and privileges as ships of war. They shall be exempt from navigation, tonnage, port, and other similar dues; and likewise from all declaration, entry, or visit of the Customs.

If the Government of Peru, from a desire to extend its co-operation in the mail service, should hereafter destine thereto some vessels of its own navy, such vessels shall then enjoy reciprocally in the ports of the United Kingdom and in those of its colonies at which they may touch, the same privileges, exemptions, and immunities, which are or shall be granted in the ports of the Republic to the British packets.

IV. The said packets shall be at liberty to take on board or to land, in the ports of the 2 countries, any passengers, of whatever country they may be, with their baggage and effects, for their own personal use, on condition that such passengers shall be provided with proper passports in due form, and provided that the commanders of the packets shall submit to the sanitary and police regulations of the said ports. Nevertheless, the conveyance of passengers must not in any case give rise to delay or impediment in the performance

pertenecientes al Gobierno Británico, ó que esten á su servicio, serán considerados y tratados como buques de guerra, y tendrán derecho á los mismos honores y privilegios de buques de guerra; y esterán extentos de derechos de navegacion, de toneladas, puerto, y otros impuestos semejantes; lo mismo que de toda declaracion, inspeccion, ó visita de las aduanas.

Si animado el Gobierno del Perú del deseo de estender su cooperacion al servicio de los vapores, destinase de aqui en adelante para dicho servicio, algunos buques de su propia marina; estos buques gozarán entónces reciprocamente en los puertos del Reyno Unido, y en los puertos de sus colonias á donde puedan tocar, los mismos privilegios, esenciones, é inmuni-dades que se han concedido ó se concediesen en los puertos de la República á los paquetes Británicos.

IV. Les mencionados vapores tendrán libertad para tomar ó recibir á bordo ó para desembarcar en los puertos de los 2 paises, cualesquiera pasajeros de cualquier pais que sean, con el equipaje y efectos que tengan para su uso personal, con tal que dichos pasajeros esten provistos de sus respectivos pasaportes en debida forma, y bajo la condicion de que los comandantes de los vapores se sometan á los reglamentos de sanidad y de policia de dichos puertos. Sin embargo la conduccion de pasajeros no deberá en ningun caso dar margen

of the service for which the packets are employed.

V. The commanders of the packets may, if they deem it expedient, send ashore to the ports of Peru, and receive from thence, without anchoring, mails and passengers, and those precious articles, the importation and exportation of which are permitted by the laws of the Republic.

VI. In case of war between the 2 nations (which God forbid!), the British mail-packets, as well as the vessels which the Government of Peru may hereafter destine to this service, shall continue their periodical navigation without impediment or molestation, until one of the 2 Governments shall notify to the other that this service is to be discontinued. In such case the packets of each country shall be permitted to return freely, and without detention or molestation, to their respective ports.

VII. On the arrival of the British mail-packets at any of the ports of Peru, it shall be the duty of the agents in charge of the mails to deliver them without delay at the house of the post-office, where such mails shall be opened in the presence of the British Consular Agent, or of the special agent appointed for that purpose, to whom the official correspondence of the British Government shall be delivered without any postage charge; after which the correspondence of individuals shall be distributed.

á detencion ó impedimento en el desempeño del servicio en que se emplean los vapores.

V. Si los comandantes de los vapores lo tienen por conveniente, pueden desembarcar en los puertos del Perú y recibir de ellos, sin fondear, las balijas, los pasajeros, y objetos preciosos, cuya introduccion ó exportacion están permitidas por las leyes de la República.

VI. En caso de guerra entre las 2 naciones (lo que Dios no permita), los vapores correos Británicos, así como los buques que en adelante destine el Perú á este servicio, continuarán su navegacion periódica sin molestia ó impedimento, hasta que uno de los 2 Gobiernos notifique al otro que no debe continuar este servicio. En semejante caso, los paquetes de cada país podrán volver libremente á sus respectivos puertos sin detencion ó obstaculo alguno.

VII. A la llegada de los paquetes Británicos á cualquier puerto del Perú, será obligacion de los agentes encargados de las balijas de correspondencia, entregarlas sin demora á la casa de la administracion de correos, á donde deberán abrirse las balijas en presencia del Ajente Consular Británico, o del agente nombrado para este efecto, á quien se entregará la correspondencia oficial del Gobierno Británico, sin exijírsele porte alguno, procediéndose despues á repartir la de particulares.

The British Consular Agent, or the British Agent named for this purpose, shall receive from individuals and from the Peruvian Post-Office, without demanding for them, or being called upon to pay upon them, any charge for postage or for any other service, the letters and papers which are to be conveyed by the British mail-packets, and shall deliver the same direct to the commanders of the packets.

VIII. The Government of Peru engages to grant to the British Government the transit, in closed mails, through the Peruvian territory, of the correspondence from the United Kingdom, from the British colonies and possessions, and from other places where the British Government maintains post-offices, to any of the adjacent States in South America; and also the transit of the correspondence from those States to the United Kingdom, to the British colonies and possessions, and to other places where the British Government maintains post-offices.

The rate to be charged for such closed mails shall be the same as that which is to be charged under this Convention for the inland postage of letters and newspapers forwarded between the United Kingdom and Peru.

When letters shall be forwarded in closed mails under the foregoing stipulation, the payment to be made to the Post Office of Peru by the British

El Agente Consular Británico, ó el Ajente Británico que haya sido nombrado con este objeto, podrá recibir de los individuos particulares, y de la Administracion de Correos en el Perú, las cartas y papeles que han de conducir los paquetes Británicos, sin que se les exija ni pueda reclamarseles imposicion alguna postal ó cualquiera otra, y las entregarán directamente á los comandantes de los paquetes.

VIII. El Gobierno del Perú se obliga á conceder al Gobierno Británico el tránsito de las balijas cerradas á traves del territorio Peruano con la correspondencia del Reyno Unido, de las colonias y posesiones Británicas, y de otros puntos en donde el Gobierno Británico tiene establecidas estafetas, para cualquiera de los Estados adyacentes de la América Meridional; y tambien el transito de la correspondencia de aquellos Estados para el Reyno Unido, para las colonias y posesiones Británicas, y para otros lugares en donde el Gobierno Británica tiene establecidas administraciones de correos.

El porte que se ha de cargar á csas balijas cerradas deberá ser el mismo que se imponga, en virtud de este Convenio, á la conduccion interior de cartas y periodicos que se dirijen entre el Reyno Unido y el Perú.

Cuando se dirijan cartas en balijas cerradas en virtud de la anterior estipulacion, el pago que se haga á la Estafeta del Perú por la Estafeta Británica,

Post Office shall be by the ounce, according to the net weight of the letters, at 2 rates to the ounce.

IX. For every letter not exceeding the weight of half an ounce English, proceeding from the ports of Peru, and destined for any part whatever of the United Kingdom, or intended to be transmitted through the United Kingdom to the British colonies and possessions, or to other countries, and *vice versá*, there shall be paid in the Post Offices of Great Britain the single postage-rate of 2s., if they are conveyed by the British packets, or a postage-rate of 8d., if they are conveyed by private ships. For letters of greater weight, the scale of charge shall be the same as that fixed for the correspondence between the United Kingdom and the British West India colonies, that is to say:

For every letter above half an ounce, but not exceeding 1 ounce, 2 rates; above 1 ounce, but not exceeding 2 ounces, 4 rates; above 2 ounces, but not exceeding 3 ounces, 6 rates: above 3 ounces but not exceeding 4 ounces, 8 rates; and so on, 2 rates being added for every ounce or fraction of an ounce above the first ounce.

Letters from Peru transmitted through the United Kingdom to British colonies and possessions, or to foreign countries, as well as letters from British colonies and possessions, or from foreign coun-

será por onza, conforme al peso neto de las cartas, en 2 cuotas la onza.

IX. Por cada carta que no exceda del peso de media onza Inglesa, que proceda de los puertos del Perú, y vaya destinada á cualquier parte del Reyno Unido, ó que se quiera trasmitir por medio del Reyno Unido á las colonías y posesiones Británicas, ó á otros paises, y *vice versá*, se pagará en la Administracion de Correos de la Gran Bretaña el porte sencillo de 2 chelines, si se conducen por los vapores Británicos, ó un porte de ocho peniques, si se trasmitiesen en buques particulares. Con respecto á cartas de mayor peso, la tarifa de portes será la misma que la establecida para la correspondencia entre el Reyno Unido y las colonías Británicas de la India Occidental, es decir:

Por cada carta de mas de media onza, pero que no exceda de 1 onza, porte doble; de mas de 1 onza, pero que no exceda de 2 onzas, 4 portes; de mas de 2 onzas, pero que no exceda 3 onzas, 6 portes; de mas de 3 onzas, pero que no exceda 4 onzas, 8 portes; y asi sucesivamente, añadiendose 2 portes por cada onza ó fraccion de onza á mas de la primera.

Las cartas procedentes del Perú, trasmitidas por el Reyno Unido á las colonías y posesiones Británicas, ó á paises extranjeros, del mismos modo que las cartas de las colonías y posesiones Bri-

tries, transmitted through the United Kingdom to Peru, shall be subject, in addition to the above-mentioned rates of postage, to the further rates which are payable in England on letters to or from such colonies, possessions, and foreign countries.

X. For every letter not exceeding the weight of half an ounce English, which the British packets, or private ships employed under contract for this service, shall convey from the colonies of Great Britain in the West Indies to the ports of Peru, and *vice versâ*, or from the French colonies of Martinique and Guadaloupe to the ports of Peru, and *vice versâ*, there shall be paid in the British Post Offices the postage of 1s. 4d.; and for letters of greater weight, the charge shall be in conformity with the scale laid down in the preceding Article.

XI. For every letter not exceeding the weight of half an ounce English, which shall be conveyed by the British packets from any port on the western coast of America to Peru, and *vice versâ*, or from one port in Peru to another port in Peru, there shall be paid to the Agent of the British Post Office at the port of dispatch the postage of 6d.; and for letters of greater weight the charge shall be in conformity with the scale laid down in Article IX.

As there is no single coin or combination of coins in Peruvian currency, which is exactly equal to the sum of 6d. English, it is

tánicas, ó de países extranjeros, trasmitidas por el Reyno Unido al Perú, pagarán, ademas de los referidos portes, los que se pagan en Inglaterra por cartas dirijidas ó venidas de las mencionadas colonias, posesiones, y países extranjeros.

X. Por cada carta que no exceda el peso de media onza Inglesa, que los vapores Británicos, ó buques particulares empleados en virtud del contrato para este servicio, lleven de las colonias de la Gran Bretaña en las Indias Occidentales á los puertos del Perú, y *vice versâ*, ó de las colonias Francesas de la Martinica y la Guadalupe á los puertos del Perú, y *vice versâ*, se pagará en las Estafetas Británicas el porte de 1 chelin y 4 peniques; y por cartas mas pesadas se arreglará el pago á la escala formada en el Artículo anterior.

XI. Por cada carta que no exceda del peso de media onza Inglesa, conducida por los vapores Británicos desde algun puerto de la costa occidental de América al Perú, y *vice versâ*, ó de uno á otro puerto del Perú, se pagará al Ajente de la Estafeta Británica en el puerto de despacho el porte de 6 peniques, y por las de mayor peso se arreglarán los portes á la escala anotada en el Artículo IX.

Como en la moneda corriente del Perú no hay una pieza sencilla, ó combinacion de monedas pequeñas, que sea exactamente

agreed that, in all payments which may be made by individuals to the Agents of the British Post Office in Peru, on account of the rates of postage mentioned in this Article, the rial shall be received as equivalent to 6*d*.

XII. For every letter not exceeding the weight of half an ounce English, which, without passing through the United Kingdom, shall be conveyed by the British packets from any foreign port at which they may touch, there shall be paid to the Agent of the British Post Office, at the port of dispatch the postage of 2*s*.; and for letters of greater weight the charge shall be in conformity with the scale laid down in Article IX.

But this stipulation shall not apply to letters conveyed between Peru and the following places, that is to say: Martinique, Guadeloupe, ports on the western coast of New Granada, and ports in the Republics of the Equator, Chile, and Bolivia.

XIII. The Government of Peru engages that the official correspondence which shall be sent from the British Consulate at Arica to Her Britannic Majesty's Legation in Bolivia, shall be carried by post through the Peruvian territory free from any postage charge in Peru, and that such correspondence shall always be forwarded by the first mail which shall be dispatched from Arica to Bolivia, after the

igual á la suma de 6 peniques Ingleses, queda acordado que en todos los pagos que se hagan por particulares al Ajente de la Estafeta Británica en el Perú, con motivo de los portes de cartas mencionadas en este Articulo, se recibirá el real como equivalente á 6 peniques.

XII. Por cada carta que no exceda del peso de media onza Inglesa, y que sin pasar por el Reyno Unido se conduzca por los vapores Británicos de cualesquiera puertos extranjeros en donde toquen, se pagará al Ajente de la Estafeta Británica en el puerto de despacho el porte de 2 chelines; y por cartas de mayor peso el porte estará en conformidad con la escala establecida en el Articulo IX.

Pero esta estipulacion no será applicable á las cartas trasmitidas entre el Perú y los siguientes puntos, á saber: la Martinica, la Guadalupe, los puertos en la costa occidental de la Nueva Granada, y los puertos de las Repúblicas del Ecuador, Chile, y Bolivia.

XIII. El Gobierno del Perú se compromete á que la correspondencia oficial que setrasmita desde el Consulado Británico en Arica á la Legacion de Su Magestad Británica en Bolivia, será llevada por el correo atravesando el territorio Peruano libre de todo gravamen postal en el Perú, y á que esa correspondencia será dirigida siempre por la primera balija que se despache desde Arica á Bolivia despues de la

arrival of the British mail-packet; and that, in like manner, the official correspondence sent by Her Britannic Majesty's Legation in Bolivia to the British Consulate in Arica, shall be carried by post through the Peruvian territory, free of charge.

XIV. For all letters which may be forwarded to or from Peru, whether by the British packets or by private ships, whatever may be the destination of such letters, inland postage shall be paid in the Post Offices of Peru, according to a rate not exceeding that now established in the Republic for inland letters.

If at any time hereafter a reduction should be made in that rate, such reduction shall be extended to letters conveyed to or from Peru by British packets or private ships.

XV. No sea-postage shall be charged on letters which are brought by commanders of merchant-vessels, and which may be destined *boná fide* for the consignees and persons interested in the equipment or cargoes of such vessels. Such letters, however, must not exceed the weight of 6 ounces by any one vessel for each consignee or person interested in the equipment or cargo.

XVI. Newspapers published in the Spanish language, and sent direct from Peru to the United Kingdom of Great Britain and Ireland, or from one port in Peru to another, by the British mail-

llegada del vapor correo Británico; y que del mismo modo la correspondencia oficial remitida por la Legacion de Su Magestad Británica en Bolivia al Consulado Británico en Arica, se conducirá por el correo atravesando el territorio Peruano, sin gravamen alguno.

XIV. Por todas las cartas que sean dirijidas al Perú, o desde el Perú, bien sea por les vapores Británicos ó por buques particulares, sea cual fuere el destino de tales cartas, se pagará porte interno en las Estafetas del Perú, con arreglo á una tarifa que no exceda de la impuesta actualmente en la República á las cartas para el interior.

Si en cualquier tiempo futuro se hiciese alguna reduccion en dicha tarifa, la misma rebaja se hará extensiva á las cartas llevadas al Perú, ó remitidas del Perú, por vapores Británicos ó buques particulares.

XV. No se impondrá ningun porte marítimo á las cartas traídas por comandantes de buques mercantes, y que vayan dirijidas *boná fide* á los consignatarios y personas interesadas en el equipo ó cargamento de dichos buques. Esas cartas no deben exceder, sin embargo, del peso de 6 onzas por cada buque, para cada consignatario ó persona interesada en el equipo ó cargamento.

XVI. Los periódicos publicados en idioma Español, y remitidos en derecho del Perú al Reyno Unido de la Gran Bretaña é Irlanda, ó desde un puerto á otro del Perú, por los vapores

packets, shall be conveyed and delivered free from any charge for British postage.

In like manner, newspapers in whatever language, published in the United Kingdom conformably to the British laws which regulate their publication and circulation, shall, when sent direct from the United Kingdom to the Republic of Peru by the British mail-packets, be conveyed free from charge, and shall also be conveyed by the mails of the Republic, and be delivered free from any charge for postage.

Newspapers which may be sent by the British mail-packets direct from a British colony or possession to a port in Peru, shall be conveyed in the mails of the Republic, and be delivered free from any charge for postage.

Newspapers which may be sent by the British mail-packets direct from Peru to a British colony or possession, or to any of the foreign ports at which such packets may touch, shall be subject to no higher charges than newspapers conveyed direct from one British colony to another, or from a British colony to any of the foreign ports at which the British packets may touch.

When newspapers are conveyed by private ships between Peru and the United Kingdom, or between Peru and a British colony or possession, the sum of 1*d.* shall be levied by the British Post Office on each newspaper on

Británicos, serán llevados y entregados libres de todo gravamen por parte de la Administracion de Correos Británica.

De igual manera, los periódicos en cualquier idioma, publicados en el Reyno Unido con arreglo á las leyes Británicas que regulan su publicacion y circulacion, cuando se remitan en derecho del Reyno Unido á la República del Perú por los paquetes Británicos, serán conducidos sin gravamen alguno, y tambien lo serán por las malas de la República, y se entregarán libres de todo gravamen de porte.

Los periódicos que se remitan en derecho por los paquetes Británicos desde una colonia ó posesion Británica á un puerto del Perú, se llevarán en las balijas de la República, y se entregarán libres de todo gravamen postal.

Los periódicos que se remitan en derecho por los vapores Británicos del Perú á una colonia ó posesion Británica, ó á cualquiera de los puertos extranjeros en donde arriben dichos vapores, no estarán sujetos á derechos mas altos que los que paguen los periódicos llevados en derecho de una á otra colonia Británica, ó desde una colonia Británica para cualquiera de los puertos extranjeros en donde puedan arribar los vapores Británicos.

Cuando los periódicos se conduzcan por buques particulares entre el Perú y el Reyno Unido, ó entre el Perú y una colonia ó posesion Inglesa, la Estafeta Británica cobrará 1 penique por el despacho de cada periodico, é

its despatch, and the same sum on its delivery.

When newspapers are conveyed by private ships from a British colony or possession to a port in Peru, the sum to be levied on their delivery in the Republic, shall not exceed 1*l*. sterling for each newspaper.

XVII. It is hereby declared, in order to avoid any interpretation contrary to the intentions of the 2 Governments, that the advantages which either party may derive from the stipulations contained in the present Convention, are to be understood as being enjoyed in virtue of, and in return for, the reciprocal obligations which it has hereby contracted.

XVIII. The present Convention shall come into operation at the expiration of 6 months after the exchange of the ratifications thereof. The Convention is concluded for 5 years from the date of the exchange of the ratifications, which shall take place at Lima as soon as possible within 12 months. After the expiration of the said 5 years the present Convention shall continue in force for 5 years more, and so on successively, until either of the 2 parties shall make notification to the other of its wish to the contrary; and such notification must be made at least 12 months before the expiration of each period of 5 years.

In witness whereof the respective parties have signed the present Convention, and have affixed thereto their respective seals.

igual suma por su entrega.

Cuando se remitan los periódicos por buques particulares desde una colonia ó posesion Británica á un puerto del Perú, la cantidad que se ha de cobrar á su entrega en la República no pasará de 1 penique esterlino por cada periódico.

XVII. A fin de evitar toda interpretacion contraria á las intenciones de ambos Gobiernos, se declara aquí, que las ventajas que resulten á cualquiera de las partes de las estipulaciones contenidas en el presente Convenio, se ha de entender que las que gozan en virtud y en retribucion de las reciprocas obligaciones que dicha parte contráe desde ahora.

XVIII. La presente Convention empezará á rejir al cabo de 6 meses del canje de las respectivas ratificaciones. Queda celebrado el Convenio por 5 años contaderos desde la fecha de las ratificaciones, que se verificarán en Lima lo mas pronto posible dentro de 12 meses. Al cabo de dichos 5 años continuará en vigor el presente Convenio por 5 años mas, y asi para lo sucesivo, hasta tanto que cualquiera de las 2 partes notifique á la otra que desea lo contrario; y esa notificacion deberá hacerse al menos 12 meses antes de la espiracion de cada periodo de 5 años.

En testimonio de lo cual, las respectivas partes han firmado este Convenio, y lo han sellado con sus respectivos sellos.

Done at Lima, the 13th day of
August, 1851.

(L.S.) WM. PITT ADAMS.

(L.S.) J. CMO. TORRICO.

Hecho en Lima, el 13 de
Agosto, 1851.

(L.S.) J. CMO. TORRICO.

(L.S.) WM. PITT ADAMS.

*TREATY of Friendship, Commerce and Navigation, between
Great Britain and the Sandwich Islands.—Signed at Hono-
lulu, July 10, 1851.*

[Ratifications exchanged at Honolulu, May 6, 1852.]

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Majesty the King of the Hawaiian Islands, being desirous to maintain and improve the relations of good understanding which happily subsist between them, and to promote the commercial intercourse between their respective subjects, have deemed it expedient to conclude a Treaty of Friendship, Commerce, and Navigation, and have for that purpose named as their respective Plenipotentiaries, that is to say :

Her Majesty the Queen of Great Britain and Ireland, William Miller, Esq., her Consul-General for the Islands in the Pacific Ocean ;

And His Majesty the King of the Hawaiian Islands, Robert Crichton Wyllie, Esq., his Minister of Foreign Relations, Member of his Privy Council of State, and of his House of Nobles ;

Who, after having communicated to each other their full powers, found to be in good and due form, have agreed upon and concluded the following Articles :

ART. I. There shall be perpetual friendship between Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, her heirs and successors, and the King of the Hawaiian Islands, his heirs and successors, and between their respective subjects.

II. There shall be, between all the dominions of Her Britannic Majesty and the Hawaiian Islands, a reciprocal freedom of commerce. The subjects of each of the 2 Contracting Parties, respectively, shall have liberty freely and securely to come, with their ships and cargoes, to all places, ports, and rivers in the territories of the other, where trade with other nations is permitted ; they may remain and reside in any part of the said territories respectively, and hire and occupy houses and warehouses ; and may trade, by wholesale or retail, in all kinds of produce, manufactures, and merchandize of lawful commerce ; enjoying the same exemptions and privileges as native

subjects, and subject always to the same laws and established customs as native subjects.

In like manner the ships of war of each Contracting Party, respectively, shall have liberty to enter into all harbours, rivers, and places within the territories of the other, to which the ships of war of other nations are or may be permitted to come, to anchor there, and to remain and refit; subject always to the laws and regulations of the 2 countries, respectively.

The stipulations of this Article do not apply to the coasting trade, which each Contracting Party reserves to itself, respectively, and shall regulate according to its own laws.

III. The 2 Contracting Parties hereby agree that any favour, privilege, or immunity whatever in matters of commerce or navigation, which either Contracting Party has actually granted, or may hereafter grant, to the subjects or citizens of any other State, shall be extended to the subjects or citizens of the other Contracting Party, gratuitously, if the concession in favour of that other State shall have been gratuitous, or in return for a compensation as nearly as possible of proportionate value and effect, to be adjusted by mutual agreement, if the concession shall have been conditional.

IV. No other or higher duties shall be imposed on the importation into the dominions of Her Britannic Majesty, of any article the growth, produce, or manufacture of the Hawaiian Islands, and no other or higher duties shall be imposed on the importation into the Hawaiian Islands, of any article the growth, produce, or manufacture of Her Britannic Majesty's dominions, than are or shall be payable on the like article, being the growth, produce, or manufacture of any other foreign country. Nor shall any other or higher duties or charges be imposed in the territories of either of the Contracting Parties on the exportation of any article to the territories of the other, than such as are or may be payable on the exportation of the like article to any other foreign country. No prohibition shall be imposed upon the importation of any article the growth, produce, or manufacture of the territories of either of the 2 Contracting Parties into the territories of the other, which shall not equally extend to the importation of the like articles being the growth, produce, or manufacture of any other country. Nor shall any prohibition be imposed upon the exportation of any article from the territories of either of the 2 Contracting Parties to the territories of the other, which shall not equally extend to the exportation of the like article to the territories of all other nations.

V. No other or higher duties or charges on account of tonnage, light, or harbour dues, pilotage, quarantine, salvage in case of damage or shipwreck, or any other local charges, shall be imposed in any of the ports of the Hawaiian Islands, on British vessels, than those

payable in the same ports by Hawaiian vessels; nor in the ports of Her Britannic Majesty's territories, on Hawaiian vessels, than shall be payable in the same ports on British vessels.

VI. The same duties shall be paid on the importation of any article which is or may be legally importable into the Hawaiian Islands, whether such importation shall be in Hawaiian or in British vessels; and the same duties shall be paid on the importation of any article which is or may be legally importable into the dominions of Her Britannic Majesty, whether such importation shall be in British or in Hawaiian vessels. The same duties shall be paid, and the same bounties and drawbacks allowed, on the exportation of any article which is or may be legally exportable from the Hawaiian Islands, whether such exportation shall be in Hawaiian or in British vessels; and the same duties shall be paid, and the same bounties and drawbacks allowed, on the exportation of any article which is or may be legally exportable from Her Britannic Majesty's dominions, whether such exportation shall be in British or in Hawaiian vessels.

VII. British-whale-ships shall have access to the ports of Hilo, Kealakekua, and Hanalei, in the Sandwich Islands, for the purpose of refitment and refreshment, as well as to the ports of Honolulu and Lahaina, which two last-mentioned ports only are ports of entry for all merchant-vessels; and in all the above-named ports they shall be permitted to trade or to barter their supplies or goods, excepting spirituous liquors, to the amount of 200 dollars *ad valorem* for each vessel, without paying any charge for tonnage, or for harbour-dues of any description, or any duties or imposts whatever upon the goods or articles so traded or bartered. They shall also be permitted, with the like exemption from all charges for tonnage and harbour-dues, further to trade or barter, with the same exception as to spirituous liquors, to the additional amount of 1,000 dollars *ad valorem* for each vessel, paying upon the additional goods and articles so traded and bartered no other or higher duties than are payable on like goods and articles when imported in national vessels and by native subjects. They shall also be permitted to pass from port to port of the Sandwich Islands for the purpose of procuring refreshments; but they shall not discharge their seamen or land their passengers in the said islands, except at Honolulu and Lahaina; and in all the ports named in this Article, British whale-ships shall enjoy, in all respects whatsoever, all the rights, privileges, and immunities which are or may be enjoyed by national whale-ships, or by whale-ships of the most favoured nation.

The like privilege of frequenting the 3 ports of the Sandwich Islands named in this Article, which are not ports of entry for merchant-vessels, is also guaranteed to all the public armed vessels of Great Britain. But nothing in this Article shall be construed as

authorizing any British vessel, having on board any disease usually regarded as requiring quarantine, to enter during the continuance of any such disease on board, any ports of the Sandwich Islands other than Honolulu or Lahaina.

VIII. All merchants, commanders of ships, and others, the subjects of Her Britannic Majesty, shall have full liberty, in the Hawaiian Islands, to manage their own affairs themselves, or to commit them to the management of whomsoever they please, as broker, factor, agent, or interpreter; nor shall they be obliged to employ any other persons than those employed by Hawaiian subjects, nor to pay to such persons as they shall think fit to employ any higher salary or remuneration than such as is paid, in the like cases, by Hawaiian subjects. British subjects in the Hawaiian Islands shall be at liberty to buy from and to sell to whom they like, without being restrained or prejudiced by any monopoly, contract, or exclusive privilege of sale or purchase whatever; and absolute freedom shall be allowed in all cases, to the buyer and seller, to bargain and fix the price of any goods, wares, or merchandize, imported into, or exported from, the Hawaiian Islands, as they shall see good; observing the laws and established customs of those islands. The same privileges shall be enjoyed in the dominions of Her Britannic Majesty by Hawaiian subjects, under the same conditions.

The subjects of either of the Contracting Parties, in the territories of the other, shall receive and enjoy full and perfect protection for their persons and property, and shall have free and open access to the courts of justice in the said countries respectively, for the prosecution and defence of their just rights; and they shall be at liberty to employ in all causes, the advocates, attorneys, or agents of whatever description, whom they may think proper; and they shall enjoy, in this respect, the same rights and privileges as native subjects.

IX. In whatever relates to the police of the ports, the lading and unlading of ships, the warehousing and safety of merchandize, goods, and effects, the succession to personal estates by will or otherwise, and the disposal of personal property of every sort and denomination by sale, donation, exchange, or testament, or in any other manner whatsoever; as also with regard to the administration of justice, the subjects of each Contracting Party shall enjoy, in the territories of the other, the same privileges, liberties, and rights, as native subjects; and they shall not be charged, in any of these respects, with any other or higher imposts or duties, than those which are or may be paid by native subjects; subject always to the local laws and regulations of such territories.

In the like event of any subject of either of the 2 Contracting Parties dying without will or testament, in the territories of the

other Contracting Party, the Consul-General, Consul, or Acting Consul of the nation to which the deceased may belong, shall, so far as the laws of each country will permit, take charge of the property which the deceased may have left, for the benefit of his lawful heirs and creditors, until an executor or administrator be named according to the laws of the country in which the death shall have taken place.

X. The subjects of Her Britannic Majesty residing in the Hawaiian Islands, and Hawaiian subjects residing in the dominions of Her Britannic Majesty, shall be exempted from all compulsory military service whatsoever, whether by sea or land, and from all forced loans, or military exactions or requisitions; and they shall not be compelled, under any pretext whatsoever, to pay any ordinary charges, requisitions, or taxes, other or higher than those that are or may be paid by native subjects.

XII. It is agreed and covenanted that neither of the 2 Contracting Parties shall knowingly receive into, or retain in, its service, any subjects of the other party who have deserted from the naval or military service of that other party; but that, on the contrary, each of the Contracting Parties shall respectively discharge from its service any such deserters, upon being required by the other party so to do.

And it is further agreed, that if any of the crew shall desert from a vessel of war or merchant-vessel of either Contracting Party, while such vessel is within any port in the territory of the other party, the authorities of such port and territory shall be bound to give every assistance in their power for the apprehension of such deserters, on application to that effect being made by the Consul of the party concerned, or by the deputy or representative of the Consul; and no public body shall protect or harbour such deserters.

It is further agreed and declared, that any other favour or facility with respect to the recovery of deserters, which either of the Contracting Parties has granted, or may hereafter grant, to any other State, shall be considered as granted also to the other Contracting Party, in the same manner as if such favour or facility had been expressly stipulated by the present Treaty.

XII. It shall be free for each of the 2 Contracting Parties to appoint Consuls for the protection of trade, to reside in the territories of the other party; but before any Consul shall act as such, he shall, in the usual form, be approved and admitted by the Government to which he is sent; and either of the Contracting Parties may except from the residence of Consuls such particular places as either of them may judge fit to be excepted. The diplomatic agents and Consuls of the Hawaiian Islands in the dominions of Her Britannic Majesty, shall enjoy whatever privileges, exemptions, and immunities

are or shall be granted there to agents of the same rank belonging to the most favoured nation; and, in like manner, the diplomatic agents and Consuls of Her Britannic Majesty in the Hawaiian Islands, shall enjoy whatever privileges, exemptions, and immunities are or may be granted there to the diplomatic agents and Consuls of the same rank belonging to the most favoured nation.

XIII. For the better security of commerce between the subjects of Her Britannic Majesty and of the King of the Hawaiian Islands, it is agreed, that if at any time any rupture, or any interruption of friendly intercourse, should unfortunately take place between the 2 Contracting Parties, the subjects of either of the 2 Contracting Parties shall be allowed a year to wind up their accounts, and dispose of their property; and a safe-conduct shall be given them to embark at the port which they shall themselves select. All subjects of either of the 2 Contracting Parties who may be established in the territories of the other, in the exercise of any trade or special employment, shall in such case have the privilege of remaining and continuing such trade and employment therein, without any manner of interruption, in full enjoyment of their liberty and property, as long as they behave peaceably, and commit no offence against the laws; and their goods and effects, of whatever description they may be, whether in their own custody or entrusted to individuals or to the State, shall not be liable to seizure or sequestration, or to any other charges or demands than those which may be made upon the like effects or property belonging to native subjects. In the same case, debts between individuals, public funds, and the shares of companies, shall never be confiscated, sequestered, or detained.

XIV. The subjects of Her Britannic Majesty residing in the Hawaiian Islands shall not be disturbed, persecuted, or annoyed, on account of their religion, but they shall have perfect liberty of conscience therein, and shall be allowed to celebrate Divine Service either within their own private houses, or in their own particular churches or chapels, which they shall be at liberty to build and maintain in convenient places approved of by the Government of the said islands. Liberty shall also be granted to them to bury in burial-places, which in the same manner they may freely establish and maintain, such subjects of Her Britannic Majesty who may die in the said islands. In like manner, Hawaiian subjects shall enjoy within the dominions of Her Britannic Majesty, perfect and unrestrained liberty of conscience, and shall be allowed to exercise their religion publicly and privately, within their own dwelling-houses, or in the chapels and places of worship appointed for that purpose, agreeably to the system of toleration established in the dominions of her said Majesty.

XV. In case there should at any time be established British

mail-packets touching at a port of the Sandwich Islands, a British packet-agent shall be permitted to reside at such port, and to collect, on account of the British Post Office, the British sea-rate of postage which may be hereafter fixed for the conveyance of letters by British packets from the Sandwich Islands to any other place to which those packets may proceed.

Such British mail-packets shall have free access to the ports of the Sandwich Islands, and shall be allowed to remain to refit, to refresh, to land passengers and their luggage, and to transact any business connected with the public mail service of Great Britain. They shall not be subject in such ports to any duties of tonnage, harbour, lighthouse, quarantine, or other similar duties, of whatever nature or under whatever denomination.

XVI. If any ship of war or merchant-vessel of either of the Contracting Parties should be wrecked on the coasts of the other, such ship or vessel, or any parts thereof, and all furniture and appurtenances belonging thereunto, and all goods and merchandize which shall be saved therefrom, or the produce thereof, if sold, shall be faithfully restored to the proprietors upon being claimed by them or by their duly authorized agents; and if there are no such proprietors or agents on the spot, then the said goods and merchandize, or the proceeds thereof, as well as all the papers found on board such wrecked ship or vessel, shall be delivered to the British or Hawaiian Consul in whose district the wreck may have taken place; and such Consul, proprietors, or agents, shall pay only the expenses incurred in the preservation of the property, together with the rate of salvage which would have been payable in the like case of a wreck of a national vessel. The goods and merchandize saved from the wreck shall not be subject to duties, unless cleared for consumption.

XVII. In order that the 2 Contracting Parties may have the opportunity of hereafter treating and agreeing upon such other arrangements as may tend still further to the improvement of their mutual intercourse, and to the advancement of the interests of their respective subjects, it is agreed that at any time after the expiration of 7 years from the date of the exchange of the ratifications of the present Treaty, either of the Contracting Parties shall have the right of giving to the other Party notice of its intention to terminate Articles IV, V, and VI, of the present Treaty; and that at the expiration of 12 months after such notice shall have been received by either Party from the other, the said Articles, and all the stipulations contained therein, shall cease to be binding on the 2 Contracting Parties.

XVIII. The present Treaty shall be ratified, and the ratifications shall be exchanged at Honolulu in 10 months, or sooner if possible.

In witness whereof, the respective Plenipotentiaries have signed the same, and have affixed thereto their respective seals.

Done at Honolulu, this 10th day of July, in the year of our Lord 1851.

(L.S.) WM. MILLER.

(L.S.) ROBERT CRICHTON WYLLIE.

Extract from the Protocol of the Signature of the preceding Treaty.

July 10, 1851.

THE Undersigned Plenipotentiaries met at 11 A.M., pursuant to adjournment, and agreed to the following:

That the present Treaty is to be accepted in substitution of the Treaty of the 26th March, 1846.

That it is understood, that besides the 3 ports named in Article VII, as accessible to whalers, the provisions of that Article shall equally extend to the other ports now open to whalers, or that hereafter may be opened by law.

WM. MILLER.

R. C. WYLLIE.

CONVENTION of Navigation between Great Britain and Sardinia, additional to the Treaty of September, 6, 1841.—
Signed at London, January 23, 1851.*

[Ratifications exchanged at London, February 3, 1851.]

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Majesty the King of Sardinia, being desirous of extending further the reciprocal privileges of navigation conferred on the ships of the 2 countries respectively by the Treaty of Navigation between Her Britannic Majesty and His Majesty the King of Sardinia, which was signed at Turin on the 6th of September, 1841, have appointed as their Plenipotentiaries to conclude a Convention for that purpose; that is to say:

SA Majesté la Reine du Royaume Uni de la Grande Bretagne et d'Irlande, et Sa Majesté le Roi de Sardaigne, désirant donner plus d'étendue aux privilèges réciproques de navigation accordés respectivement aux navires des 2 pays par le Traité de Navigation entre Sa Majesté Britannique et Sa Majesté le Roi de Sardaigne, qui a été signé à Turin le 6 Septembre, 1841, ont nommé en qualité de Plénipotentiaires pour conclure une Convention à cet effet, savoir :

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Right Honourable Henry John Viscount Palmerston, Baron Temple, a Peer of Ireland, a Member of Her Britannic Majesty's Most Honourable Privy Council, a Member of Parliament, Knight Grand Cross of the Most Honourable Order of the Bath, and Her Britannic Majesty's Principal Secretary of State for Foreign Affairs; and the Right Honourable Henry Labouchere a Member of Her Britannic Majesty's Most Honourable Privy Council, a Member of Parliament, and President of the Committee of Privy Council for Affairs of Trade and Foreign Plantations;

And His Majesty the King of Sardinia, the Sieur Victor Emmanuel Taparelli, Marquis d'Azeglio, Commander of His Religious and Military Order of Saint Maurice and Saint Lazarus, Commander of the Legion of Honour, Officer of the Order of Leopold of Belgium, His Envoy Extraordinary and Minister Plenipotentiary to Her Britannic Majesty;

Who, after having communicated to each other their respective full powers, found in good and due form, have agreed that for and in lieu of the 1st and 2nd Articles of the above-mentioned Treaty, the following Articles shall be substituted:

ART. I. No duties of tonnage, harbour, lighthouse, pilotage, quarantine, or other or similar

Sa Majesté la Reine du Royaume Uni de la Grande Bretagne et d'Irlande, le Très Honorable Henri Jean Vicomte Palmerston, Baron Temple, Pair d'Irlande, Membre du Très Honorable Conseil Privé de Sa Majesté Britannique, Membre du Parlement, Chevalier Grand-Croix du Très Honorable Ordre du Bain, et Principal Secrétaire d'Etat de Sa Majesté Britannique pour les Affaires Etrangères; et le Très Honorable Henri Labouchere, Membre du Très Honorable Conseil Privé de Sa Majesté Britannique, Membre du Parlement, et Président du Comité du Conseil Privé pour les Affaires de Commerce et des Colonies;

Et Sa Majesté le Roi de Sardaigne, le Sieur Victor Emmanuel Taparelli, Marquis d'Azeglio, Commandeur de Son Ordre Religieux et Militaire des Saints Maurice et Lazare, Commandeur de la Légion d'Honneur, Officier de l'Ordre de Léopold de Belgique, Son Envoyé Extraordinaire et Ministre Plénipotentiaire auprès de Sa Majesté Britannique;

Lesquels, après s'être réciproquement communiqué leurs pleins pouvoirs respectifs, trouvés en bonne et due forme, sont convenus que pour et au lieu des Articles I et II du Traité susmentionné, on substituera les Articles suivants:

ART. I. Aucun droit de tonnage, de port, de phare, de pilotage, de quarantaine, ou autres

or corresponding duties, of whatever nature or under whatever denomination, shall be imposed in the ports of either country upon the vessels of the other country, from whatever port or place arriving, which shall not be equally imposed in the like cases on national vessels: and in neither country shall any duty, charge, restriction, or prohibition be imposed upon, nor any drawback, bounty, or allowance, be withheld from, any goods imported into or exported from such country in vessels of the other, which shall not be equally imposed upon or withheld from such goods, when so imported or exported in national vessels.

II. All vessels which, according to the laws of Great Britain, are to be deemed British vessels; and all vessels which, according to the laws of the Kingdom of Sardinia, are to be deemed Sardinian vessels, shall, for the purposes of this Convention, and of the said Treaty of the 6th September, 1841, be deemed British vessels and Sardinian vessels respectively.

III. The present Convention shall be considered as additional to the above-mentioned Treaty of the 6th September, 1841, and shall have the same duration as that Treaty.

It shall be ratified, and the ratifications shall be exchanged at London as soon as may be within the space of 2 months from the date of its signature.

droits semblables ou équivalens de quelque nature ou sous quelque dénomination que ce soit, ne sera imposé dans les ports de chacun des 2 pays sur les navires de l'autre nation, arrivant d'un port ou endroit quelconque, qui ne sera pas également imposé en pareil cas sur des navires nationaux; et dans chacun des deux pays aucun droit, charge, restriction, ou prohibition, ne sera imposé, ni aucun remboursement de droit, prime, ou avantage, ne sera refusé à aucune marchandise importée dans ou exportée de ces mêmes pays sur des navires de l'autre, qui ne soit également imposé sur ces mêmes marchandises, ou refusé à ces mêmes marchandises, importées ou exportées sur des navires nationaux.

II. Tous les navires qui d'après les lois de la Grande Bretagne sont considérés comme navires Anglais, et tous les navires qui d'après les lois du Royaume de Sardaigne sont considérés comme navires Sardes, seront quant aux effets de la présente Convention, ainsi que du Traité du 6 Septembre, 1841, cité plus haut, déclarés respectivement navires Britanniques et Sardes.

III. La présente Convention sera considérée comme additionnelle au Traité précité du 6 Septembre, 1841, et aura la même durée que ce Traité.

Elle sera ratifiée, et les ratifications en seront échangées à Londres le plus tôt possible dans le terme de 2 mois à compter du jour de la signature.

In witness whereof the respective Plenipotentiaries have signed the same, and have affixed thereto the seals of their arms.

Done at London, the 23rd day of January, in the year of our Lord, 1851.

(L.S.) PALMERSTON.

(L.S.) HENRY LABOUCHERE.

(L.S.) V. E. AZEGLIO.

En foi de quoi les Plénipotentiaires respectifs l'ont signée, et y ont apposé les cachets de leurs armes.

Fait à Londres, le 23 Janvier, l'an de Grâce 1851.

(L.S.) PALMERSTON.

(L.S.) HENRY LABOUCHERE.

(L.S.) V. E. AZEGLIO.

TREATY of Commerce and Navigation between Great Britain and Sardinia.—Signed at London, February 27, 1851.

[Ratifications exchanged at London, April 8, 1851.]

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Majesty the King of Sardinia, being desirous of giving to the commercial relations between the countries which Providence has placed under their care, the utmost possible development; and being persuaded that this desirable object can be obtained only by removing every impediment to commerce and navigation; they have resolved reciprocally to secure to their respective subjects, by means of a Treaty, the full extent and consequence of the benefits resulting from the 2 legislative Acts respectively passed in England on the 26th of June, 1849, for the amendment of the Navigation Laws, and in the Sardinian States on the 6th of July, 1850, for the abolition of Differential Duties. For this

[1850—51.]

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SA Majesté la Reine du Royaume Uni de la Grande Bretagne et d'Irlande, et Sa Majesté le Roi de Sardaigne, désirant donner aux relations commerciales entre les pays que la Providence a placés sous leur tutelle, tout le développement dont elles sont susceptibles, et persuadées qu'un but aussi utile ne saurait être atteint qu'en faisant disparaître tous les obstacles qui peuvent entraver le commerce et la navigation, ont résolu d'assurer réciproquement, par un Traité, dans toute leur étendue et dans toutes leurs conséquences à leurs populations, les bienfaits dérivant des 2 Actes législatifs adoptés l'un en Angleterre le 26 Juin, 1849, pour la modification de l'Acte de Navigation, et l'autre dans les Etats Sardes, le 6 Juillet, 1850, pour l'abolition des Droits Différentiels. A cet effet elles ont

purpose they have named as their Plenipotentiaries, that is to say :

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Right Honourable Henry John Viscount Palmerston, Baron Temple, a Peer of Ireland, a Member of Her Britannic Majesty's Most Honourable Privy Council, a Member of Parliament, Knight Grand Cross of the Most Honourable Order of the Bath, and Her Britannic Majesty's Principal Secretary of State for Foreign Affairs ; and the Right Honourable Henry Labouchere, a Member of Her Britannic Majesty's Most Honourable Privy Council, a Member of Parliament, and President of the Committee of Privy Council for Affairs of Trade and Foreign Plantations ;

And His Majesty the King of Sardinia, the Sieur Victor Emmanuel Taparelli, Marquis d'Azeglio, Commander of His Religious and Military Order of Saint Maurice and Saint Lazarus, Commander of the Legion of Honour, Officer of the Order of Leopold of Belgium, His Envoy Extraordinary and Minister Plenipotentiary to Her Britannic Majesty ;

Who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon the following Articles :

ART. I. There shall be reciprocal liberty of commerce between all the dominions of the 2 High Contracting Parties ; and the

nommé leurs Plénipotentiaires, savoir :

Sa Majesté la Reine du Royaume Uni de la Grande Bretagne et d'Irlande, le Très Honorable Henri Jean Viscomte Palmerton, Baron Temple, Pair d'Irlande, Membre du Très Honorable Conseil Privé de Sa Majesté Britannique, Membre du Parlement, Chevalier Grand-Croix du Très Honorable Ordre du Bain, et Principal Secrétaire d'Etat de Sa Majesté Britannique pour les Affaires Etrangères ; et le Très Honorable Henry Labouchere, Membre du Très Honorable Conseil Privé de Sa Majesté Britannique, Membre du Parlement, et Président du Comité du Conseil Privé pour les Affaires de Commerce et des Colonies ;

Et Sa Majesté le Roi de Sardaigne, le Sieur Victor Emmanuel Taparelli, Marquis d'Azeglio, Commandeur de Son Ordre Religieux et Militaire des Saints Maurice et Lazare, Commandeur de la Légion d'Honneur, Officier de l'Ordre de Léopold de Belgique, Son Envoyé Extraordinaire et Ministre Plénipotentiaire auprès de Sa Majesté Britannique ;

Lesquels, après s'être réciproquement communiqué leurs pleins pouvoirs respectifs, trouvés en bonne et due forme, sont convenus des Articles suivans :

ART. I. Il y aura liberté réciproque de commerce entre tous les états des 2 Hautes Parties Contractantes ; et les sujets de

subjects of each of them shall, throughout the whole extent of the territories of the other, enjoy the same rights, privileges, liberties, favours, immunities, and exemptions, in matters of commerce, which are or may be enjoyed by native subjects.

II. All merchandize and articles of commerce, the produce or manufacture either of the Kingdom of Sardinia or of any other country, which are or may be legally importable into the ports of the United Kingdom of Great Britain and Ireland, its colonies and possessions, in British vessels, may likewise be imported into those ports in Sardinian vessels, without being liable to any other or higher duties, of whatever denomination, than if such merchandize or productions were imported in British vessels; and reciprocally, all merchandize and articles of commerce, the produce or manufacture either of the United Kingdom of Great Britain and Ireland, its colonies and possessions, or of any other country, which are or may be legally importable into the Kingdom of Sardinia in Sardinian vessels, may likewise be imported into those parts in British vessels, without being liable to any other or higher duties, of whatever denomination, than if such merchandize or productions were imported in Sardinian vessels.

chacune d'elles, dans toute l'extension des territoires de l'autre, jouiront des mêmes droits, privilèges, libertés, faveurs, immunités, et exemptions, en matière de commerce, dont jouissent ou jouiront les nationaux.

II. Toutes les marchandises et objets de commerce, soit productions du sol ou de l'industrie du Royaume de Sardaigne, soit de tout autre pays, dont l'importation dans les ports du Royaume Uni de la Grande Bretagne et d'Irlande, ses colonies et possessions, est ou sera légalement permise sur des bâtiments Britanniques, pourront également y être importées sur des bâtiments Sardes, sans être assujetties à d'autres ou à de plus forts droits, de quelque dénomination que ce soit, que si les mêmes marchandises ou productions avaient été importées sur des bâtiments Britanniques; et réciproquement, toutes les marchandises et objets de commerce, soit productions du sol ou de l'industrie du Royaume Uni de la Grande Bretagne et d'Irlande, et ses colonies et possessions, soit de tout autre pays, dont l'importation dans le Royaume de Sardaigne est ou sera légalement permise sur des bâtiments Sardes, pourront également y être importées sur des bâtiments Britanniques, sans être assujetties à d'autres ou à de plus forts droits, de quelque dénomination que ce soit, que si les mêmes marchandises ou productions avaient été importées sur des bâtiments Sardes.

The said reciprocal equality of treatment shall take effect without distinction, whether such merchandize come directly from the place of origin, or from any other place.

III. The same reciprocal equality of treatment shall take effect in regard to all that concerns exportation and transit, without distinction as to origin or destination; and also in regard to bounties, facilities, and drawbacks, which are or may hereafter be granted by the legislation of the 2 countries.

IV. Her Majesty the Queen of the United Kingdom of Great Britain and Ireland engages that the commerce of Sardinian subjects in the dominions of Her Britannic Majesty shall not suffer any interruption, or be in any manner affected by any monopoly, contract, or exclusive privilege of sale or purchase, so that Sardinian subjects shall have full and entire liberty to sell and buy wherever they may think fit, and in any manner which may be deemed convenient by the seller or buyer, and without being subject to any prejudice in consequence of any such monopoly, contract or exclusive privilege of sale or purchase; and His Majesty the King of Sardinia engages that a like freedom from restraint in regard to sale and purchase shall be enjoyed by British subjects in the Sardinian dominions; the existing Crown monopolies of tobacco, salt, gunpowder, ball and shot, and playing cards, being

Cette égalité de traitement réciproque sera appliquée indistinctement, soit que ces marchandises arrivent directement de l'endroit de production, soit qu'elles arrivent d'un autre endroit quelconque.

III. La même égalité de traitement réciproque aura lieu pour tout ce qui a trait aux exportations et transits, sans distinction de provenance ou de destination, et pour tout ce qui a égard aux primes facilités, et drawbacks que la législation des 2 pays a établis, ou pourrait établir par la suite.

IV. Sa Majesté la Reine du Royaume Uni de la Grande Bretagne et d'Irlande prend l'engagement que le commerce des sujets Sardes dans les Etats de Sa Majesté Britannique ne subisse aucune interruption, ou ne puisse en aucune manière être atteint par le fait de quelque monopole, contrat, ou privilège exclusif de vente ou d'achat quelconque, de manière à ce que les sujets Sardes aient faculté pleine et entière de vendre ou d'acheter partout où il leur plaira, et en toutes formes jugées plus convenables par le vendeur ou l'acheteur, et sans être obligés de subir aucune conséquence de quelque monopole, contrat, ou privilège exclusif de vente ou d'achat; et Sa Majesté le Roi de Sardaigne s'engage à ce que semblable affranchissement de tout gêne relative aux ventes et achats soit garanti aux sujets Britanniques dans les Etats Sardes, à l'exception des mono-

excepted.

V. No duties of tonnage, harbour, lighthouse, pilotage, quarantine, or other similar or corresponding duties, of whatever nature or under whatever denomination, levied in the name or for the profit of the Government, public functionaries, communes, corporations, or establishments of whatever kind, shall be imposed in the ports of either country upon the vessels of the other country, from whatever port or place arriving, which shall not be equally imposed in the like cases on national vessels; and in neither country shall any duty, charge, restriction, or prohibition, be imposed upon, nor any drawback, bounty, or allowance, be withheld from any goods imported into or exported from such country in vessels of the other, which shall not be equally imposed upon or withheld from such goods, when so imported or exported in national vessels.

VI. All vessels which according to the laws of Great Britain are to be deemed British vessels, and all vessels which according to the laws of the Kingdom of Sardinia are to be deemed Sardinian vessels shall, for the purposes of this Treaty, be deemed British vessels and Sardinian vessels respectively.

VII. In all that regards the

poles actuels de la Couronne de tabac, de sel, de poudre, de plombs de chasse et de guerre, et de cartes à jouer.

V. Aucun droit de tonnage, de port, de phare, de pilotage, de quarantaine, ou autres droits semblables ou équivalents, de quelque nature ou sous quelque dénomination que ce soit, perçu au nom ou au profit du Gouvernement, des fonctionnaires publics, des communes, corporations, ou établissements quelconques, ne sera imposé dans les ports de chacun des 2 pays sur les navires de l'autre nation, arrivant d'un port ou endroit quelconque, qui ne sera pas également imposé en pareil cas sur des navires nationaux; et dans chacun des 2 pays aucun droit, charge, restriction, ou prohibition, ne sera imposé, ni aucun remboursement de droit, prime, ou avantage, ne sera refusé à aucune marchandise importée dans ou exportée de ces mêmes pays sur des navires de l'autre, qui ne soit également imposé sur ces mêmes marchandises, ou refusé à ces mêmes marchandises, importées ou exportées sur des navires nationaux.

VI. Tous les navires qui d'après les lois de la Grande Bretagne sont considérés comme navires Anglais, et tous les navires qui d'après les lois du Royaume de Sardaigne sont considérés comme navires Sardes, seront, quant aux effets du présent Traité, déclarés respectivement navires Britanniques et Sardes.

VII. En tout ce qui concerne

stationing, the loading, and unloading of vessels in the ports, basins, docks, roadsteads, harbours, or rivers of the 2 countries, no privilege shall be granted to national vessels which shall not be equally granted to vessels of the other country; the intention of the Contracting Parties being that in this respect also, the respective vessels shall be treated on the footing of perfect reciprocity.

VIII. The vessels of each of the 2 countries shall be at liberty either to discharge the whole of their cargo at one of the ports of the dominions of the other High Contracting Party, or to discharge part of their cargo at one port and then to proceed with the remainder to other ports of the said dominions, according as the captain, proprietor, or other person duly authorized to act in the port as agent for the vessel and cargo, shall consider advisable.

IX. It is expressly understood that the preceding Articles do not apply to the coasting trade, which each Contracting Party reserves to itself, and shall regulate according to its own laws.

X. If any vessel of war or merchant vessel of either of the 2 countries should be wrecked upon the coasts of the other, such vessel, or any parts thereof, and all furniture and appurtenances belonging thereunto, as well as all goods and merchandize which shall be saved therefrom, or the proceeds thereof, if sold,

le placement des navires, leur chargement et déchargement, dans les ports, bassins, docks, rades, hâvres, ou rivières des 2 Etats, il ne sera accordé aucun privilège aux navires nationaux, qui ne le soit également à ceux de l'autre Etat; la volonté des Parties Contractantes étant que, sous ce rapport aussi, les bâtiments respectifs soient traités sur le pied d'une parfaite réciprocité.

VIII. Les bâtiments de l'un des 2 Etats pourront décharger en totalité leur cargaison dans un des ports des Etats de l'autre Haute Partie Contractante, ou décharger une partie de leur cargaison dans un port, et se rendre ensuite avec le reste dans les autres port du même Etat, selon que le capitaine, le propriétaire, ou telle autre personne qui serait dûment autorisée dans le port à agir dans l'intérêt du bâtiment ou de la cargaison, le jugera convenable.

IX. Il est expressément entendu que les Articles précédents ne sont pas applicables au commerce de cabotage, que chaque Partie Contractante se réserve à elle-même, et réglera d'après ses propres lois.

X. S'il arrivait que quelque vaisseau de guerre ou navire marchand de l'un des 2 Etats fit naufrage sur les côtes de l'autre, ce bâtiment, ou ses parties ou débris, ses agrés et tous les objets qui y appartiendront, ainsi que tous les effets et marchandises qui en auront été sauvés, ou le produit de leur

shall be faithfully restored to the proprietors or to their agents on being claimed by them. In case there should be no such proprietors or agents upon the spot, the said articles and goods, or the proceeds thereof, as well as all the papers found on board of any such vessel, shall be delivered to the British or Sardinian Consul in whose district the wreck shall have taken place; and such Consul, proprietors, or agents, shall not be called upon to pay any charge but the expenses incurred in the preservation of the property, and the rate of salvage which would be equally payable in the like case of a wreck of a national vessel. The goods and merchandize saved from the wreck shall not be subject to the established duties, unless cleared for consumption.

XI. In all that relates to duties of customs and of navigation, the 2 High Contracting Parties engage that any privilege, favour, or immunity which either of them may grant to any other Power, shall be also and at the same time extended to their respective subjects, gratuitously, if the concession in favour of that other State shall have been gratuitous, or on giving a compensation as nearly as possible of equal value and effect, to be adjusted by mutual agreement, if the concession shall have been conditional.

It is however expressly agreed, that the reductions in the duties of customs which have been conceded by Sardinia to Belgium by the Treaty concluded with that

vente, en seront fidèlement rendus aux propriétaires ou à leurs ayant-droit, sur leur réclamation. Dans le cas où ceux-ci se trouveraient absens, les dits objets, marchandises, ou leurs produits, seront consignés, ainsi que tous les papiers trouvés à bord de ce bâtiment, au Consul Britannique ou Sarde, dans le district duquel le naufrage aura eu lieu; et il ne sera exigé, soit du Consul, soit des propriétaires ou ayant-droit, que le paiement des dépenses pour la conservation de la propriété, et la taxe de sauvetage qui serait également payée en pareille circonstance par un bâtiment national. Les marchandises et effets sauvés du naufrage ne seront assujettis aux droits établis qu'autant qu'ils seraient déclarés pour la consommation.

XI. En tout ce qui concerne les droits de douane et de navigation, les 2 Hautes Parties Contractantes s'obligent et s'engagent que tout privilège, faveur, ou immunité que chacune d'elles viendra à accorder à tout autre Etat, sera aussi, et à l'instant, étendu à leurs sujets respectifs, gratuitement, si la concession en faveur de l'autre Etat est gratuite, ou en donnant une compensation autant que possible de valeur et effet équivalent, à fixer de commun accord, si la concession est conditionnelle.

Il est toutefois expressément convenu, que les réductions de douane accordées par la Sardaigne à la Belgique, dans le Traité conclu avec cette Puissance à Turin

Power at Turin, on the 24th of of January, 1851,* and which are specified in the Table annexed to the present Treaty, shall, from and after the 1st of June, 1851, be extended to Great Britain, in compensation for the advantages granted to Sardinia by the present Treaty.

XII. Each of the High Contracting Parties shall have the right to name Consuls for the protection of trade, to reside within the dominions and territories of the other party; and the Consuls who may be so appointed shall enjoy, within the territories of each party, all the privileges, exemptions, and immunities which are or may be granted in those territories to agents of the same rank and character appointed by or authorized to act for the Government of the most favoured nation.

Before any Consul can act as such, he must, however, in the usual form be approved and admitted by the Government of the country to which he is sent; and each of the 2 High Contracting Parties shall have the right to except from the residence of Consuls, any particular places which either of them may judge proper to be excepted.

XIII. The subjects of each of the High Contracting Parties may freely dispose by will, donation, or otherwise, of all the property which they may legally acquire and possess in the territories of the other; and their lawful representatives, although subjects of the other Contracting

le 24 Janvier, 1851,* et qui se trouvent spécifiées dans le Tableau annexé au présent Traité, seront, à partir du 1er Juin, 1851, étendues à la Grande Bretagne, en compensation des avantages accordés à la Sardaigne par le présent Traité.

XII. Chacune des Hautes Parties Contractantes aura le droit de nommer des Consuls pour la protection du commerce, afin de résider dans les Etats ou territoires de l'autre partie: et les Consuls qui seront nommés ainsi jouiront, dans le territoire de chaque partie, de tous les privilèges, exemptions, et immunités qui sont ou peuvent être accordés dans ces états aux agents du même rang et caractère nommés ou autorisés par le Gouvernement de la nation la plus favorisée.

Avant que quelque Consul puisse agir comme tel, il devra être approuvé et admis, dans les formes usitées, par le Gouvernement auprès duquel il est envoyé; et chacune des Hautes Parties Contractantes aura la faculté d'excepter de la résidence des Consuls, tels endroits spéciaux que chacune d'elles pourra juger à propos d'excepter.

XIII. Les sujets de chacune des Hautes Parties Contractantes pourront disposer librement par testament, donation, ou autrement, de tous les biens qu'ils auraient pu acquérir et posséder légalement dans les Etats de l'autre: et ceux qui les représentent d'après les lois, quoique

Party, may succeed to such property either by will or *ab intestato*, and may, in due course of law, take possession of the same, either in person, or by persons acting on their behalf; and they may dispose of the same at their pleasure, paying only such imposts, taxes, or duties, as the inhabitants of the country in which such property is situated, are liable to pay in similar cases.

In case of the absence of representatives, the same rule shall be observed as is prescribed in the like case, with regard to the property of the natives of the country, until the owner shall have made the necessary arrangements for taking possession of the property.

If any dispute should arise between different claimants with respect to the right which they may have to the property, such disputes shall be decided by the judges according to the laws of the country in which the property is situated, and without further appeal than is provided for by those laws.

XIV. The subjects of either of the 2 High Contracting Parties residing in the dominions of the other, shall have the same liberty as natives to manage their own affairs themselves, or to commit them to the management of any other persons, as brokers, factors, agents, or interpreters; they shall not be restrained in their choice, and shall not be obliged to pay any salary or remuneration to any person whom they

sujets de l'autre Partie Contractante, pourront hériter de ces propriétés, soit par testament, soit *ab intestato*, et ils pourront, dans les termes fixés par la loi, en prendre possession par eux-mêmes ou par des personnes agissant en leur nom; ils en disposeront à leur gré, en payant seulement les impositions, taxes, ou droits auxquels seraient, en semblable cas, assujettis les habitants du pays où les propriétés existent.

Dans le cas d'absence des héritiers, on devra suivre la même règle qui, en semblable cas, est prescrite à l'égard des propriétés des natifs du pays, jusqu'à ce que les ayant-droit aient fait les arrangements nécessaires pour en prendre possession.

Si des contestations s'élevaient entre les divers postulants au sujet du droit qu'ils auraient à ces propriétés, elles devront être résolues par les juges suivant les lois du pays où les propriétés sont situées, et sans autre appel que celui prévu par les mêmes lois.

XIV. Les sujets de l'une des Hautes Parties Contractantes résidant dans les Etats de l'autre seront respectivement libres de régler comme les nationaux leurs affaires par eux-mêmes, ou de les confier aux soins de toute autre personne, telle que courtiers, facteurs, agents, ou interprètes; ils ne pourront être contraints dans leur choix, et ils ne seront tenus à payer aucun salaire ni aucune rétribution à ceux qu'ils

shall not choose to employ in those capacities: buyers and sellers being at perfect liberty to bargain together, and to fix the price of any goods or merchandise imported or destined for exportation; on condition of observing the regulations and the customs laws of the country.

XV. The stipulations of the present Treaty shall be substituted for the stipulations of the Treaty between the 2 High Contracting Parties signed at Turin on the 10th of September, 1841,* as well as of the Convention additional to that Treaty, which was signed at London on the 23rd of January, 1851.†

The present Treaty shall be in force for 12 years from the date of the exchange of the ratifications thereof; and further, until the end of 12 months after either of the 2 Contracting Parties shall have given notice to the other of its intention to terminate the same; each of the Contracting Parties reserving to itself the right of giving such notice to the other at the end of the said term of 12 years, or at any subsequent time.

XVI. The present Treaty shall be ratified, and the ratifications shall be exchanged at London as soon as may be within the space of 2 months from the date of its signature.

In witness whereof, the respective Plenipotentiaries have signed the same, and have affixed thereto the seals of their arms.

* Vol. XXX. Page 264.

n'auront pas jugé à propos d'employer à cet effet: étant absolument facultatif aux vendeurs et acheteurs de contracter ensemble leur marché, et de fixer le prix de toutes denrées ou marchandises importées ou destinées à l'exportation, sous la condition de se conformer aux réglemens et aux lois de douane du pays.

XV. Les stipulations du présent Traité remplaceront celles du Traité entre les 2 Hautes Parties Contractantes conclu à Turin le 10 Septémbre, 1841,* ainsi que de la Convention additionnelle à ce Traité, qui a été signée à Londres le 23 Janvier, 1851.†

Le présent Traité sera en vigueur pendant 12 ans à compter de la date de l'échange des ratifications, et au delà de ce terme jusqu'à l'expiration de 12 mois après que l'une des 2 Parties Contractantes aura annoncé à l'autre son intention de la faire cesser; chacune des Parties se réservant le droit de faire à l'autre une telle déclaration au bout des 12 ans susmentionnés, ou à toute date ultérieure.

XVI. Le présent Traité sera ratifié, et les ratifications en seront échangées à Londres le plus tôt possible dans l'espace de 2 mois, à compter du jour de la signature.

En foi de quoi les Plénipotentiaires respectifs l'ont signé, et y ont apposé le cachet de leurs armes.

† Page 78.

Done at London, the 27th day
of February, in the year of our
Lord 1851.

(L.S.) PALMERSTON.

(L.S.) HENRY LABOU-
CHERE.

(L.S.) V. E. D'AZEGLIO.

Fait à Londres, le 27 Février
l'an de Grâce 1851.

(L.S.) PALMERSTON.

(L.S.) HENRY LABOU-
CHERE.

(L.S.) V. E. D'AZEGLIO.

*ANNEX to the Treaty between Great Britain and Sardinia, signed at
London, February 27, 1851.*

*Table of Reductions in the Tariff of Customs stipulated by the Treaty
between Sardinia and Belgium, signed at Turin, January 24, 1851.*

ZINC; in plates, in bars, or in
pigs (mixed with other metal,
toutenagues); rolled zinc; a re-
duction of half the present duties.

Copper; in cakes, rose copper,
copper boilers; in plates, copper
wrought, and not tinned (*non
ferré*): the same reduction.

Iron; plain castings (*fonte
ouvrée simple*), chairs for rail-
ways, fr. 8·00 instead of fr.
15·00 the 100 kil.; castings
mounted with other metals,
fr. 12·00 instead of fr. 25·00;
wrought iron of first manufac-
ture, rails, fr. 10·00 instead of
fr. 16·00; of second manufacture,
fr. 15·00 instead of fr. 30·00;
mounted with other metals,
fr. 20·00 instead of fr. 40·00;
anchors, cannon, fr. 10·00 instead
of fr. 20·00; implements for the
mechanical arts, fr. 12·50 instead
of fr. 25·00; nails of all kinds,
spikes, &c., fr. 12·50 instead of
fr. 25·00 and fr. 70·00; machines
and machinery, fr. 5·00 instead
of fr. 10·00; scythes, reaping-
hooks, or pruning-knives, smooth-
ing irons, &c., fr. 12·50 instead
of fr. 25·00; anvils, hammers,
ploughshares, fr. 10·00 instead of

ZINC; en plaques, en barres
ou en saumons (*toutenagues*);
zinc laminé; réduction de moitié
des droits actuels.

Cuivre; en pains, en rosettes,
en fonds de chaudière, en plaques;
cuivre ouvré et non ferré: même
réduction.

Fer; fonte ouvrée simple,
coussinets pour chemins de fer,
fr. 8·00 au lieu de fr. 15·00 les
100 kil.; fonte garnie d'autres
métaux, fr. 12·00 au lieu de fr.
25·00; fer de première fabrica-
tion, rails, fr. 10·00 au lieu de
fr. 16·00; de seconde fabrication,
fr. 15·00 au lieu de fr. 30·00;
garni d'autres métaux, fr. 20·00
au lieu de fr. 40·00; ancres,
canons, fr. 10·00 au lieu de fr.
20·00; instruments propres aux
arts mécaniques, fr. 12·50 au lieu
de fr. 25·00; clous de toute es-
pèce, chevilles, etc., fr. 12·50 au
lieu de fr. 25·00 et de fr. 70·00;
machines et mécaniques, fr. 5·00
au lieu de fr. 10·00; faux, fau-
cilles, ou serpettes, fers, à re-
passer, etc., fr. 12·50 au lieu de
fr. 25·00; enclumes, massues,
socs de charrue, fr. 10·00 au lieu
de fr. 20·00; ressorts de voiture

fr. 20·00; carriage-springs, and the like, fr. 30·00 instead of fr. 60·00; iron screws of all kinds, fr. 12·50 instead of fr. 25·00; iron wire, fr. 10·00 instead of fr. 20·00 the 100 kil.

Steel arms of all kinds; reduction of half; barrels of fowling-pieces, fr. 1·00 instead of fr. 2·00; barrels of pistols, fr. 0·35 instead of fr. 0·75 each.

Mirrors and flint-glass; looking-glasses of every dimension, not in frames, fr. 25·00 instead of fr. 60·00 the 100 kil.; flint-glass of all kinds, fr. 15·00 instead of fr. 40·00 the 100 kil.; plate-glass and window glass, fr. 15·00 instead of fr. 25·00 the 100 kil.; wrought glass (*verres ouvrés*) of all kinds, fr. 15·00 instead of fr. 18·00 the 100 kil.; bottles containing 1 litre and upwards, half-bottles, demi-johns of all sizes, bottles called *fiaschi*: a reduction of half.

Porcelain, coloured or gilt, fr. 30·00 instead of fr. 50·00; white fr. 25·00 the 100 kil.; common earthenware, fr. 3·00 instead of fr. 4·00 the 100 kil.; delft ware (*faïence*) of various kinds; white, fr. 8·00 instead of fr. 12·00; painted, gilt, or coloured, fr. 12·00 instead of fr. 20·00.

Paper, coloured in the pulp, or white, of all qualities, fr. 30·00 instead of fr. 50·00 the 100 kil.; coloured or gilt, fr. 40·00 instead of fr. 65·00; printed, ornamented, or painted, for hanging, fr. 50·00 instead of fr. 100·00; blotting, fr. 20·00 instead of fr. 50·00;

et similaires, fr. 30·00 au lieu de fr. 60·00; vis de fer de toute espèce, fr. 12·50 au lieu de fr. 25·00; fils de fer, fr. 10·00 au lieu de fr. 20·00 par 100 kil.

Armes blanches de toute espèce: réduction de moitié. Canons de fusils de chasse, fr. 1·00 au lieu de fr. 2·00 la pièce; canons de pistolets, fr. 0·35 au lieu de fr. 0·75 la pièce.

Verres et cristaux; miroirs de toute dimension non montés, fr. 25·00 au lieu de fr. 60·00 les 100 kil; cristaux de toute espèce, fr. 15·00 au lieu de fr. 40·00 par 100 kil.; glaces et verres à vitre, fr. 15·00 au lieu de fr. 25·00 par 100 kil.; verres ouvrés de toute espèce, fr. 15·00 au lieu de fr. 18·00 par. 100 kil.; bouteilles de 1 litre et au-dessus, demi-bouteilles, demejeannes sans distinction de capacité, bouteilles nommées *fiaschi*, réduction de moitié.

Porcelaine en couleur, ou dorée, fr. 30·00 au lieu de fr. 50·00; blanche, fr. 25·00 par 100 kil.; poterie de terre ordinaire, fr. 3·00 au lieu de fr. 4·00 par 100 kil.; faïence en ouvrages divers: blanche, fr. 8·00 au lieu de fr. 12·00; peinte, dorée, ou coloriée, fr. 12·00 au lieu de fr. 20·00.

Papier de pâte de couleur et blanc de toute qualité, fr. 30·00 au lieu de fr. 50·00 par 100 kil.; colorié ou doré, fr. 40·00 au lieu de fr. 65·00; imprimé, dessiné, ou peint pour tenture, fr. 50·00 au lieu de fr. 100·00; brouillard, fr. 20·00 au lieu de fr. 50·00;

coarse, for packing, fr. 10·00 instead of fr. 20·00.

Books, in sheets or stitched, fr. 30·00 instead of fr. 50·00 the 100 kil.; bound in boards, &c., fr. 60·00 instead of fr. 100·00.

Refined sugar of all kinds, fr. 25·00 instead of fr. 45·00 the 100 kil.

Leather and prepared skins, fr. 66·66 instead of fr. 100·00; shamoyed skins, fr. 75·00 instead of fr. 150·00.

Yarn of wool or hair of any kind, white or natural, fr. 0·60 instead of 1·10 the kil.; dyed, fr. 0·80 instead of fr. 1·60.

Tissues of wool milled and dressed (*foulés et drapés*), or not, of the value of 10 fr. the metre and upwards, including similar articles, such as cassimeres, &c., fr. 3·00 the kil. instead of fr. 3·30, suppressing, moreover, the 10 per cent. *ad valorem*; of less value than 10 fr. the metre, 2·00 instead of 4·50; carpets and coverlids of refuse of wool, scraps and list of cloth, fr. 1·00 instead of fr. 2·00 the kil.; of any other quality, fr. 1·00 instead of fr. 3·00.

Flax, carded or combed (*teillé ou peigné*): a reduction of half.

Yarn of flax or hemp, of any quality: the same reduction.

Tissues of flax and of hemp, of any quality, bleached or unbleached; also mixed with cotton or wool, twilled (*croisés*) or otherwise wrought, unbleached, bleached, or mixed with white: the same reduction. Lace of any quality: the same reduction.

grossier, pour enveloppes, fr. 10·00 au lieu de fr. 20·00.

Livres, en feuilles ou brochés, fr. 30·00 au lieu de fr. 50·00 par 100 kil.; reliés en carton, etc., fr. 60·00 au lieu de fr. 100·00.

Sucre raffiné de toute espèce, fr. 25·00 au lieu de fr. 45·00 les 100 kil.

Cuir et peaux préparées, fr. 66·66 au lieu de fr. 100·00; peaux chamoisées, fr. 75·00 au lieu de fr. 150·00.

Fils de laine ou de poil quelconque, blancs ou naturels, fr. 0·60 au lieu de fr. 1·10 le kil.; teint, fr. 0·80 au lieu de fr. 1·60.

Tissus de laine foulés et drapés ou non, de la valeur de 10 fr. par mètre et au-dessus, y compris les similaires, tels que casimirs, etc., fr. 3·00 le kil. au lieu de fr. 3·30, avec suppression des 10 pour cent à la valeur; de moins de 10 fr. par mètre, fr. 2·00 au lieu de fr. 4·50; tapis et couvertures de bourre de laine, lambeaux et lisières de drap, fr. 1·00 au lieu de fr. 2·00 le kil.; de toute autre qualité, fr. 1·00 au lieu de fr. 3·00.

Lin teillé ou peigné: réduction de moitié.

Fils de lin et de chanvre, de toute qualité: même réduction.

Tissus de lin et de chanvre, de toute qualité, écrus ou blanchis, même mélangés de coton ou de laine, croisés ou autrement ouvragés, écrus, blanchis ou mélangés de blanc: même réduction; dentelles de toutes qualités: même réduction.

Cotton yarn, inferior to No. 20, fr. 0·20 instead of fr. 0·90; from No. 20 to No. 40, fr. 0·40 instead of fr. 0·90; from No. 40 to No. 60, fr. 0·60 instead of fr. 0·75; of a higher No., fr. 0·75: twists of any quality, fr. 0·75 instead of fr. 1·20; bleached or dyed, of any quality, fr. 0·80 instead of 1·80.

Tissues of cotton, also mixed with flax or wool, simple, twilled (*croisés*), or otherwise wrought, unbleached, bleached, in colour or dyed, printed, &c.: a reduction of half.

Cod-fish: a reduction of 25 per cent.

The duty on the exportation of the following articles from the Sardinian dominions to Belgium, shall be reduced as follows:

Upon raw silk, to fr. 1·50; upon raw lamb-skins, to fr. 15·00; upon kid-skins, to fr. 30·00.

PALMERSTON.

HENRY LABOUCHERE.

V. E. D'AZEGLIO.

Fils de coton, inférieurs au No. 20, fr. 0·20 au lieu de fr. 0·90; du No. 20 au No. 40, fr. 0·40 au lieu de fr. 0·90; du No. 40 au No. 60, fr. 0·60 au lieu de fr. 0·75; d'un No. supérieur, fr. 0·75; retors de toute qualité, fr. 0·75 au lieu de fr. 1·20; blanchis ou teints, de toute qualité, fr. 0·80 au lieu de fr. 1·80.

Tissus de coton, même mélangés de fil ou de laine, unis, croisés, ou autrement ouvragés, écrus, blanchis, en couleurs ou teints, imprimés, &c.: réduction de moitié.

Morue: réduction de 25 pour cent.

Le droit à la sortie sur les marchandises suivantes dirigées des Etats Sardes vers la Belgique sera réduit, savoir:

Celui sur les soies grèges, à fr. 1·50; celui sur les peaux brutes d'agneaux, à fr. 15·00; sur les peaux de chevreaux, à fr. 30·00.

PALMERSTON.

HENRY LABOUCHERE.

V. E. D'AZEGLIO.

Declaration respecting the Ionian Islands, made on the exchange of the Ratifications of the preceding Treaty.—London, April 8, 1851.

DECLARATION.

IN proceeding to the exchange of the ratifications of the Treaty of Commerce and Navigation between Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Majesty the King of Sardinia, which was signed at London on the 27th of February, 1851, the

DECLARATION.

EN procédant à l'échange des ratifications du Traité de Commerce et de Navigation entre Sa Majesté la Reine du Royaume Uni de la Grande Bretagne et d'Irlande, et Sa Majesté le Roi de Sardaigne, qui a été signé à Londres le 27 Février, 1851, les Soussignés, Plénipotentiaires de

Undersigned, Plenipotentiaries of Her Britannic Majesty and of His Majesty the King of Sardinia, have received the commands of their respective Sovereigns to declare as follows :

The Ionian Islands being under the protection of Her Britannic Majesty, the subjects and vessels of those islands shall enjoy, in the dominions of His Majesty the King of Sardinia, all the advantages which by the above-mentioned Treaty are granted to the subjects and vessels of Great Britain, as soon as the Government of the Ionian Islands shall have agreed to grant to the subjects and vessels of His Sardinian Majesty the same advantages which are granted in those islands to the subjects and vessels of Her Britannic Majesty ; it being understood, that in order to prevent abuses, every Ionian vessel claiming the benefits of that Treaty shall be furnished with a patent signed by the Lord High Commissioner, or by his representative.

The ratifications of the Treaty of the 27th of February, 1851, are exchanged subject to the above Declaration.

Done at London, the 8th day of April, 1851.

(L.S.) PALMERSTON.

(L.S.) V. E. D'AZEGLIO.

Sa Majesté Britannique et de Sa Majesté le Roi de Sardaigne, ont reçu les ordres de leurs Souverains respectifs à déclarer ainsi qu'il suit :

Les Iles Ioniennes se trouvant sous la protection de Sa Majesté Britannique, les sujets et les navires de ces îles jouiront, dans les états de Sa Majesté Sarde, de tous les avantages qui sont accordés par le Traité susmentionné aux sujets et aux navires de la Grande Bretagne, aussitôt que le Gouvernement des Iles Ioniennes sera convenu d'accorder aux sujets et aux navires de Sa Majesté Sarde les mêmes avantages qu'il accorde dans ces îles aux sujets et aux navires de Sa Majesté Britannique ; bien entendu, toutefois, que pour prévenir des abus, tout navire Ionien qui sera dans le cas de réclamer les bienfaits de ce Traité sera muni d'une patente signée par le Lord Haut Commissaire, ou par celui qui le représente.

Les ratifications du Traité du 27 Février, 1851, sont échangées sauf la Déclaration susmentionnée.

Fait à Londres, le 8 Avril, 1851.

(L.S.) PALMERSTON.

(L.S.) V. E. D'AZEGLIO.

AN ACCOUNT of the Ordinary Revenues and Extraordinary Resources,
AND IRELAND; for the

HEADS of REVENUE.	1. BALANCES and BILLS outstanding on 5th January, 1851.	2. GROSS RECEIPT.	3. Repayments, Allowances, Discounts, Drawbacks, and Bounties in the nature of Drawbacks; and Allowances for Paper and Parchment to stamp on.	4. NET RECEIPT within the Year, after deducting RE- PAYMENTS, &c.	5. TOTAL INCOME, including BALANCES
	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
ORDINARY REVENUES.					
Customs	420,851 0 0	22,373,061 14 0½	179,586 12 4½	22,197,075 2 2	22,626,926 11 11
Excise	265,503 19 0½	13,984,115 2 11½	53,604 16 2½	15,460,420 6 9	15,665,924 4 9½
Stamps.....	151,839 13 7½	6,748,242 0 2½	219,192 9 6	6,529,049 10 8½	6,680,839 4 4
Taxes, Land and Assessed ... } Ditto, Income and Property }	39,861 2 4½	{ 3,796,052 4 9 5,538,880 2 2½	{ 6,008 6 5½ 98,530 5 4½	{ 3,789,983 18 3½ 5,440,349 16 10 }	9,270,194 17 5½
Post Office	253,286 6 8½	2,467,850 0 2½	45,681 16 1	2,422,168 4 1½	2,675,454 10 9½
One Shilling in the Pound, and Sixpence in the Pound on Pensions and Salaries, and Four Shillings in the Pound on Pensions.....	... ..	4,510 8 2	.. ..	4,510 8 2	4,510 8 2
Crown Lands	125,740 3 11½	352,957 0 4½	... ..	352,957 0 4½	478,607 4 4
Small Branches of the Here- ditary Revenue.....	... ..	25,826 6 1	... ..	25,826 6 1	25,826 6 1
Surplus Fees of Regulated Public Offices .....	... ..	108,916 8 4	... ..	108,916 8 4	108,916 8 4
TOTALS of Ordinary Revenues.....	£ 1,266,082 14 4½	57,401,011 7 10½	1,129,754 6 0½	56,271,257 1 9½	57,537,339 16 2½
OTHER RESOURCES.					
Money received from the East India Company on account of Retired Pay, Pensions, &c., of Her Ma- jesty's Forces serving in India, per Act 4, Geo. IV, c. 71 .....	... ..	60,000 0 0	... ..	60,000 0 0	60,000 0 0
From the Trustees of the King of the Belgians, the amount repaid into the Exchequer for the use of the Consolidated Fund, out of the Annuity granted to Prince Leopold.....	... ..	36,000 0 0	... ..	36,000 0 0	36,000 0 0
Imprest Monies repaid by sundry Public Account- ants, and other Monies paid to the Public .....	... ..	54,297 11 9	... ..	54,297 11 9	54,297 11 9
Money arising from the sale of Old Stores.....	... ..	413,155 16 11	... ..	413,155 16 11	413,155 16 11
TOTALS of the Public Income of the United Kingdom.....	£ 1,299,082 14 4½	57,954,464 16 6½	1,129,754 6 0½	56,834,710 10 5½	58,100,793 4 10½

Whitehall, Treasury Chambers, 24th March, 1852.

constituting the PUBLIC INCOME of the United Kingdom of GREAT BRITAIN
Year ending 5th January, 1852.

Payments out of the Income in its progress to the Exchequer.			9.	10.	11.	12.
6.	7.	8.	PAYMENTS into the EXCHEQUER.	BALANCES and BILLS outstanding on 5th January, 1852.	TOTAL DISCHARGE of the INCOME.	RATE per Centum for which the GROSS RECEIPT was Collected.
CHARGES of COLLECTION.	OTHER PAYMENTS.	TOTAL PAYMENTS out of the Income, in its progress to the Exchequer.				
£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
1,200,756 9 0	313,119 12 5	1,603,876 1 5	20,615,337 12 0	407,712 18 6	22,626,926 11 11	5 15 4½
849,475 15 2½	84,679 9 3½	934,155 4 6½	14,442,081 6 5	289,687 13 9½	15,665,924 4 9½	5 6 3½
144,769 3 7½	...	144,769 3 7½	6,385,682 14 0	151,037 6 8½	6,650,889 4 4	2 2 11
308,503 5 4½	43,219 7 4	356,782 12 8½	{ 3,563,961 18 0 5,304,923 2 1 }	44,527 4 2	9,270,194 17 5½	3 6 1½
1,293,418 10 2½	10,745 2 6	1,304,163 12 8½	1,069,000 0 0	302,290 18 0½	2,675,454 10 9½	52 8 2½
86 7 10	...	86 7 10	4,424 0 4	...	4,510 8 2	...
49,396 17 9	108,155 0 7	152,550 18 4	150,000 0 0	176,146 6 0	478,667 4 4	13 19 11
...	...	...	25,826 6 1	...	25,826 6 1	...
...	...	...	108,916 8 4	...	108,916 8 4	...
3,930,405 9 0½	559,918 12 1½	4,490,384 1 2½	51,669,553 7 9	1,371,402 7 3½	57,587,339 16 2½	6 17 2
...	...	...	60,000 0 0	...	60,000 0 0	...
...	...	...	30,000 0 0	...	36,000 0 0	...
...	...	...	54,267 11 9	...	54,267 11 9	...
...	...	...	413,155 16 11	...	413,155 16 11	...
3,930,405 9 0½	559,918 12 1½	4,490,384 1 2½	52,233,006 16 5	1,371,402 7 3½	58,100,793 4 10½	...

GEO. A. HAMILTON.

AN ACCOUNT of the Ordinary Revenues and Extraordinary Resources, constituting

HEADS of REVENUE.	1. BALANCES and BILLS outstanding on 5th Jan. 1851.			2. GROSS RECEIPT.			3. Repayments, Allowances, Discounts, Drawbacks and Bounties in the nature of Drawbacks; and Allowances for Paper and Parchment to stamp on.			4. NET RECEIPT within the Year after Deducting RE- PAYMENTS, &c.			5. TOTAL INCOME, including BALANCES.		
	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.	£	s.	d.
ORDINARY REVENUES.															
Customs	383,193	18	4	20,292,753	3	1½	173,783	0	1½	20,118,790	3	0	20,502,164	1	4
Excise	212,941	9	2½	14,464,086	6	2½	581,488	13	9½	13,882,597	12	5½	14,095,539	1	7½
Stamps	143,298	16	7½	6,201,075	0	5½	200,060	1	8	6,061,006	4	9½	6,204,305	1	5
Taxes, Land and Assessed ... } Ditto, Income and Property }	30,861	2	4½	{ 3,796,052 4 9 5,538,880 2 2½			{ 3,068 6 5½ 98,530 5 4½			{ 3,789,983 18 3½ 5,440,349 16 10			9,270,194	17	5½
Post Office	216,095	13	8½	2,258,804	10	1½	41,405	16	9	2,217,398	13	4½	2,434,004	7	0½
One Shilling in the Pound, and Sixpence in the Pound on Pensions and Salaries, and Four Shillings in the Pound on Pensions .....	...	...		4,510	8	2	...	...		4,510	8	2	4,510	8	2
Crown Lands	125,740	3	11 7/12	352,057	0	4 5/12	...	...		352,975	0	4 5/12	478,097	4	4
Small Branches of the Here- ditary Revenue .....	...	...		25,826	6	1	...	...		25,826	6	1	25,826	6	1
Surplus Fees of Regulated Public Offices .....	...	...		100,216	16	6	...	...		100,216	16	6	100,216	16	6
TOTALS of Ordinary Revenues	£ 1,121,731	4	11 9/12	53,005,762	4	0 5/12	1,102,035	4	2½	51,993,726	19	10 2/12	53,115,458	4	0
OTHER RESOURCES.															
Money received from the East India Company, on account of Retired Pay, Pensions, &c., of Her Ma- jesty's Forces serving in India, per Act 4 Geo. IV. c. 71 .....	...	...		60,000	0	0	...	...		60,000	0	0	60,000	0	0
From the Trustees of the King of the Belgians, the amount repaid into the Exchequer for the use of the Consolidated Fund, out of the Annuity granted to Prince Leopold .....	...	...		36,000	0	0	...	...		36,000	0	0	36,000	0	0
Imprest Monies repaid by sundry Public Account- ants, and other Monies paid to the Public .....	...	...		40,827	15	3	...	...		40,827	15	3	40,827	15	3
Money arising from the sale of Old Stores, &c. ....	...	...		413,155	16	11	...	...		413,155	16	11	413,115	16	11
TOTALS of the Public Income of Great Britain	£ 1,121,731	4	11 9/12	53,054,745	10	2 5/12	1,102,035	4	2½	52,552,710	12	0 2/12	53,074,441	16	2

Whitehall, Treasury Chambers, 24th March, 1852.

the PUBLIC INCOME of GREAT BRITAIN ; for the Year ending 5th January, 1852.

Payments out of the Income in its progress to the Exchequer.			9.	10.	11.	12.
6.	7.	8.	PAYMENTS into the EXCHEQUER.	BALANCES and BILLS outstanding on 5th January, 1852.	TOTAL DISCHARGE of the INCOME.	RATE Per Centum for which the GROSS RECEIPT was Collected.
CHARGES of COLLECTION.	OTHER PAYMENTS.	TOTAL PAYMENTS out of the Income, in its progress to the Exchequer.				
£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
1,079,718 13 1	235,272 2 11	1,374,990 16 0	18,761,069 6 5	366,103 18 11	20,502,164 1 4	5 6 5
698,113 4 10	68,454 8 0	766,567 12 10	13,093,170 0 0	235,801 8 9½	14,065,539 1 7½	4 16 6½
128,676 0 2½	...	128,676 0 2½	5,933,548 8 1	142,080 13 1½	6,204,365 1 5	2 1 1½
308,563 5 4½	48,219 7 4	356,782 12 8½	{ 3,563,961 13 6 5,304,923 2 1 }	44,527 4 2	9,270,194 17 5½	3 6 1½
1,110,090 18 1½	10,745 2 6	1,120,836 0 7½	1,064,000 0 0	240,168 6 5	2,434,004 7 0½	49 2 10½
86 7 10	...	86 7 10	4,424 0 4	...	4,510 8 2	...
40,395 17 9	103,155 0 7	152,550 18 4	150,000 0 0	176,146 6 0	478,607 4 4	13 19 11
...	...	...	25,826 6 1	...	25,826 6 1	...
...	...	...	100,216 16 6	...	100,216 16 6	...
3,374,044 7 2½	525,846 1 4	3,900,490 8 6½	48,001,139 18 0	1,213,827 17 5½	53,115,458 4 0	6 7 1½
...	...	...	60,000 0 0	...	60,000 0 0	...
...	...	...	36,000 0 0	...	36,000 0 0	...
...	...	...	40,827 15 3	...	40,827 15 3	...
...	...	...	413,155 16 11	...	413,155 16 11	...
3,374,044 7 2½	525,846 1 4	3,900,490 8 6½	48,500,123 10 2	1,213,827 17 5½	53,674,441 16 2	...

AN ACCOUNT of the Ordinary Revenues and Extraordinary Resources, constituting

HEADS of REVENUE.	1. BALANCES and BILLS outstanding on 5th Jan. 1851.	2. GROSS RECEIPT.	3. RE- PAYMENTS, DRAW- BACKS, DIS- COUNTS, &c.	4. NET RECEIPT within the Year, after de- ducting RE- PAYMENTS, &c.	5. TOTAL INCOME, including BALANCES.
ORDINARY REVENUES.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
CUSTOMS	46,657 11 5	2,080,908 11 5	2,803 12 3	2,078,104 19 2	2,124,762 10 7
EXCISE	52,562 8 10	1,520,028 16 8½	2,206 2 5	1,517,822 14 3½	1,570,385 3 1½
STAMPS	8,540 17 0	486,566 13 9	18,523 7 10	468,043 5 11	476,584 2 11
POST OFFICE	36,590 12 11½	209,045 10 1	4,185 10 4	204,859 10 9	241,450 3 8½
SURPLUS FEES of Regulated Public Offices..... }	... ..	8,699 11 10	... ..	8,699 11 10	8,699 11 10
TOTALS OF ORDINARY REVENUES. } £	144,351 10 2½	4,305,249 3 9½	27,719 1 10	4,277,530 1 11½	4,421,881 12 2½
OTHER RESOURCES.					
IMPREST Monies, repaid by sundry Public Account- ants, and other Monies paid to the Public .....	... ..	4,400 16	... ..	4,400 16 6	4,400 16 6
TOTALS of the Public INCOME OF IRELAND..... } £	144,351 10 2½	4,309,710 0 3½	27,719 1 10	4,281,000 18 5½	4,426,351 8 8½

Whitehall, Treasury Chambers, 24th March, 1852.

the PUBLIC INCOME of IRELAND; for the Year ending 5th January, 1852.

Payments out of the Income, in its progress to the Exchequer.			9.	10.	11.	12.
6.	7.	8.				
CHARGES of COLLECTION.	OTHER PAYMENTS.	TOTAL PAYMENTS out of the Income, in its progress to the Exchequer.	PAYMENTS into the EXCHEQUER.	BALANCES and BILLS outstanding on 5th January, 1852.	TOTAL DISCHARGE of the INCOME.	RATE per Centum for which the GROSS RECEIPT was Collected.
£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.	£ s. d.
211,037 15 11	17,847 9 6	228,885 5 5	1,354,263 5 7	41,608 19 7	2,124,762 10 7	10 2 10
151,362 10 4½	16,225 1 3½	167,587 11 8½	1,348,911 6 5	53,886 5 0½	1,570,385 3 1½	9 10 2
16,003 3 5	... ..	16,003 3 5	451,534 5 11	8,956 13 7	476,584 2 11	3 6 1½
183,327 12 1	... ..	183,327 12 1	5,000 0 0	53,122 11 7½	241,450 3 8½	87 13 11½
... ..	... ..	... ..	8,600 11 10	... ..	8,600 11 10	... ..
561,821 1 9½	34,072 10 9½	595,893 12 7½	3,668,413 9 9	157,574 9 10	4,421,881 12 2½	13 1 0
... ..	... ..	... ..	4,460 16 6	... ..	4,460 16 6	... ..
561,821 1 9½	34,072 10 9½	595,893 12 7½	3,672,883 6 3	157,574 9 10	4,423,351 8 8½	—

GEO. A. HAMILTON.

AN ACCOUNT of the TOTAL INCOME of the REVENUE of GREAT BRITAIN
Répayments, Allowances, Discounts, Drawbacks, and Bounties, in the nature
Kingdom, exclusive of Sums applied to the Reduction of the National

HEADS OF REVENUE.		NET RECEIPT, as stated in Column 4 of the Account of Public Income.			
ORDINARY REVENUE.		£	s. d.	£	s. d.
Balances and Bills outstanding on 5th January, 1851	...	...	...	1,266,082	14 2 ⁷ / ₁₂
Customs	...	22,197,075	2 2		
Excise	...	15,400,420	6 9		
Stamps	...	6,529,049	10 8 ³ / ₄		
Taxes, Land and Assessed	...	3,789,983	18 3 ¹ / ₂		
Ditto Income and Property	...	5,440,349	16 10		
Post Office	...	2,422,168	4 1 ¹ / ₄		
One Shilling in the Pound, and Sixpence in the Pound on Pensions and Salaries, and Four Shillings in the Pound on Pensions	...	4,510	8 2		
Crown Lands	...	352,957	0 4 ⁵ / ₁₂		
Small Branches of the Hereditary Revenue	...	25,826	6 1		
Surplus Fees of Regulated Public Offices	...	108,916	8 4		
				56,271,257	1 9 ¹¹ / ₁₂
Deduct Balances and Bills outstanding on 5th January, 1852	...	...	...	57,537,339	16 2 ¹ / ₂
				1,371,402	7 3 ¹ / ₂
Total Ordinary Revenue	...	...	£	56,165,937	8 11 ¹ / ₂
OTHER RESOURCES.					
Money received from the East India Company, on account of Retired Pay, Pensions, &c. of Her Majesty's Forces serving in India, per Act 4 Geo. IV, c. 71	...	60,000	0 0		
From the Trustees of the King of the Belgians, the Amount repaid into the Exchequer for the use of the Consolidated Fund, out of the Annuity granted to Prince Leopold	...	36,000	0 0		
Imprest Monies repaid by sundry Public Accountants, and other Monies paid to the Public	...	54,297	11 9		
Money arising from the Sale of Old Stores, &c.	...	413,155	16 11		
				563,453	8 8
				£	56,729,390 17 7 ¹ / ₂
Balances and Bills outstanding on 5th January, 1851	...	...	...	£	1,266,082 14 4 ⁷ / ₁₂
Ditto ditto 5th January, 1852	...	...	...	...	1,371,402 7 3 ¹ / ₂
Balances more in 1852 than in 1851	...	...	...	...	105,319 12 10 ⁸ / ₁₂
Excess of Income over Expenditure	...	...	...	£	2,726,396 4 10
Actual Excess of Income over Expenditure	...	...	...	£	2,831,715 17 8 ⁸ / ₁₂

Whitehall, Treasury Chambers, March 24, 1852.

and IRELAND, in the Year ended 5th January, 1852, after deducting the of Drawbacks; together with an Account of the Public Expenditure of the United Debt within the same Period.

EXPENDITURE.							
						£	s. d.
PAYMENTS OUT OF THE INCOME, IN ITS PROGRESS TO THE EXCHEQUER.						£	s. d.
Charges of Collection	...	...	...	...	...	3,936,465	9 0½
Other Payments	...	...	...	...	...	559,918	12 1½
Total Payments out of the Income, in its progress to the Exchequer							4,496,384 1 2½
FUNDED DEBT.							
Interest and Management of the Permanent Debt	...					23,829,749	3 0
Terminable Annuities	...	...	...	...	...	3,784,664	9 2
Total Charge of the Funded Debt, exclusive of the Interest on Donations and Bequests						27,614,413	12 2
UNFUNDED DEBT.							
Interest on Exchequer Bills	...	...	...	...	...	402,713	13 6
Civil List	...	...	...	...	...	397,730	0 0
Annuities and Pensions for Civil, Naval, and Military Services, &c. charged by various Acts of Parliament on the Consolidated Fund						378,341	13 7
Salaries and Allowances	...	...	...	...	...	273,526	2 6
Diplomatic Salaries and Pensions	...	...	...	...	...	152,798	7 7
Courts of Justice	...	...	...	...	...	1,090,227	5 6
Miscellaneous Charges on the Consolidated Fund	...					295,056	3 0
Army	...	...	...	...	...	6,485,498	1 10
Navy	...	...	...	...	...	5,849,916	16 5
Ordnance	...	...	...	...	...	2,238,442	8 0
Civil Services charged on the Annual Grants of Parliament	...					4,004,831	19 3
Kafir War	...	...	...	...	...	300,000	0 0
Money paid to the Bank of England to supply deficiencies on the Balance reserved for Unclaimed Dividends, per Act 56 George III, c. 97							25,114 8 3
Excess of Income over Expenditure							54,002,994 12 9½
							2,726,396 4 10
						£	56,729,390 17 7½

AN ACCOUNT of the NET PUBLIC INCOME of the United Kingdom of GREAT
abating the EXPENDITURE thereout defrayed by the several Revenue Depart-
of the Sums applied to the Redemption of Funded, or paying off Unfunded

INCOME OR REVENUE.							TOTAL.		
ORDINARY REVENUE AND RECEIPTS.							£	s.	d.
CUSTOMS	..	..	..	..	..	..	20,615,337	12	0
EXCISE ..	..	..	..	..	..	..	14,442,081	6	5
STAMPS	..	..	..	..	..	..	6,385,082	14	0
TAXES, LAND AND ASSESSED	..	..	..	..	..	..	3,563,961	18	6
PROPERTY TAX	..	..	..	..	..	..	5,304,923	2	1
POST OFFICE..	..	..	..	..	..	..	1,069,000	0	0
CROWN LANDS	..	..	..	..	..	..	150,000	0	0
One Shilling and Sixpence, and Four Shillings in the } Pound, on Pensions and Salaries .. .. . }	..	..	..	..	..	..	4,424	0	4
Small Branches of the Hereditary Revenues of the } Crown .. .. . }	..	..	..	..	..	..	25,826	6	1
Surplus Fees of Regulated Public Offices	..	..	..	..	..	..	108,916	8	4
							£ 51,669,553	7	9
OTHER RECEIPTS.									
Produce of the Sale of Old Stores and other extra Receipts..							413,155	16	11
Imprest and other Monies	..	..	..	..	..	..	90,297	11	9
Money received from the East India Company	..	..	..	..	..	..	60,000	0	0
Unclaimed Dividends (more than paid)	..	..	..	..	..	..	0	0	0
							£ 52,233,006	16	5

Whitehall, Treasury Chambers, February 28, 1852.

BRITAIN and IRELAND, in the Year ended the 5th day of January, 1852 (afterments), and of the Actual Issues or Payments within the same Period, exclusive Debt, and of the Advances and Repayments for Local Works, &c.

EXPENDITURE.					
FUNDED DEBT.		£	s.	d.	
Interest and Management of the Permanent Debt }		23,829,749	3	0	
Terminable Annuities		3,784,664	9	2	
Total Charge of the Funded Debt, exclusive of £11,867 7s. 8d. the Interest on Donations and Bequests }		27,614,413	12	2	
UNFUNDED DEBT.					
Interest on Exchequer Bills ..		402,713	13	6	28,017,127 5 8
Civil List		397,730	0	0	
Annuities and Pensions for Civil, Naval, Military, and Judicial Services, &c., charged by various Acts of Parliament on the Consolidated Fund }		378,341	13	7	
Salaries and Allowances		273,526	2	6	
Diplomatic Salaries and Pensions		152,798	7	7	
Courts of Justice		1,090,227	5	6	
Miscellaneous Charges on the Consolidated Fund }		295,056	3	0	
Army		6,485,498	1	10	2,587,679 12 2
Navy		5,849,916	16	5	
Ordnance		2,238,442	8	0	
Civil Services, chargeable on the Annual Grants of Parliament .. }		4,004,831	19	3	
Kafir War		300,000	0	0	
					18,878,689 5 6
Unclaimed Dividends (more than received)					£ 49,483,496 3 4
					23,114 8 3
					49,506,610 11 7
Excess of Income over Expenditure					2,726,396 4 10
					£ 52,233,006 16 5

AN ACCOUNT of the ACTUAL RECEIPT and EXPENDITURE of the
of the NATIONAL DEBT, in the

Drs.

THE SAID COMMISSIONERS

UNITED KINGDOM.	TOTAL Sums received.	CAPITAL STOCK placed in the Names of the Commissioners.
	£ s. d.	£ s. d.
ISSUES FROM THE CON- SOLIDATED FUND.		
To Cash, Quarterly Issues, } 10 Geo. 4, c. 27 .. }	3,000,232 1 5	3,096,998 2 0
To Cash, one year's Inte- rest on Capitals standing in the names of the Com- missioners, on account of Donations and Bequests }	11,867 7 8	12,256 1 9
£	3,012,099 9 1	3,109,254 3 9

National Debt Office, January 6, 1852.

Sums placed in the hands of the COMMISSIONERS for the REDUCTION
Year ending 5th January, 1852.

(On account of the Sinking Fund.)

Crs.

	TOTAL Sums paid.			Average Price of Stock.		
	£	s.	d.	£	s.	d.
{ By Cash paid for £3,096,998 2s. Capital Stock, purchased with the Sinking Fund, at 3 per cent. }	3,000,232	1	5	96	17	6
{ By Cash paid for £12,256 1s. 9d. Capital Stock, purchased on account of Donations and Be- quests, at 3 per cent. }	11,867	7	8	97	16	6
	£ 3,012,099 9 1					

AN ACCOUNT of the Total Amount of the UNREDEEMED FUNDED DEBT, and created in the Year ended 5th January, 1852; of the Debt and Charge thereof, Debt, and the Charge thereof, as it stood on the 5th of January, 1852.

GREAT BRITAIN.		CAPITAL STOCK.		ANNUAL CHARGE thereon.	
		£	s. d.	£	s. d.
On 5th Jan. 1851.	TO Unredeemed Capital	728,628,547	4 6½	...	22,405,958 14 5
	To Long Annuities, expire 1860.....	...	...	...	1,227,963 11 4
	To Annuities, 4 Geo. IV, c. 22, ex- pire 1867.....	...	...	...	585,740 0 0
	To Annuities for a limited term of years, per 10 Geo. IV, c. 24, and 3 Will. IV, c. 14, expire at va- rious periods .....	...	...	...	843,388 13 4
	To Life Annuities, per 48 Geo. III, c. 142, and subsequent Acts.....	...	...	...	979,143 16 6
	To Life Annuities, per 18 & 19 Geo. III, and English Tontine Annuities, 29 Geo. III. ....	...	...	...	15,246 5 7
	To Irish Tontine Annuities, 13 & 14, 15 & 16, and 19 & 20 Geo. III (Irish Acts), payable in Great Britain .....	...	...	...	34,230 8 7
To Management .....		...	...	...	92,287 6 7
TOTAL DEBT at 5th January, 1851..... £		728,628,547	4 6½	26,183,958 16 4	
DEBT created in the Year 1851.	To Capital transferred from the Funded Debt in Ireland to the Funded Debt in Great Britain, 5 Geo. IV, c. 53	{ 531,280 8 4 225,014 10 7	{ 3 per cent. 3½ per cent.	{ 23,251 7 7½	
	To Capital re-transferred from the Commissioners for the Reduc- tion of the National Debt, the Dividends upon which had re- mained unclaimed 10 years or upwards, the same having been reclaimed by the Proprietors thereof, 56 Geo. III, c. 60	{ 19,142 12 2 13,870 2 2	{ 3 per cent. 3½ per cent.	{ 1,025 1 0½	
	To Long Annuities re-transferred from ditto to ditto.....	...	...	17 1 9	
	To Annuities for terms of years, re-transferred from ditto to ditto .....	...	...	9 3 0	
	To South Sea Annuities un- claimed 10 years or upwards, re-transferred from ditto to ditto, 7 & 8 Vict. c. 80.....	275 15 9	3 per cent.	8 5 5½	
	To Annuities for a limited term of years, granted 10 Geo. IV, c. 24, and 3 Will. IV, c. 14 .....	...	...	2,484 19	
	To Life Annuities granted 10 Geo. IV, c. 24, & 3 Will. IV, c. 14 .....	...	...	61,096 9 6	
	To Annual Charge on Contributors' Shares, Tontine 1789, increased	...	...	98 12	
TOTAL DEBT created in 1851		789,583	9 0	87,990 19 9½	
GENERAL TOTAL, Great Britain..... £		729,418,130	13 6½	26,271,949 16 1½	

the CHARGE thereof, at the 5th January, 1851; of the Debt and Charge thereof reduced in the course of that Year; and of the Total Amount of the Unredeemed

		CAPITAL STOCK.		ANNUAL CHARGE thereon.	
		£	s. d.		£ s. d.
DEBT Reduced in the Year 1851.	By Capital purchased with the Sinking Fund	3,096,998	2 0	3 per cent	92,909 18 9½
	By ditto purchased on account of Donations and Bequests.....	12,256	1 9	3 per cent.	367 13 7½
	By Capital transferred for the purchase of Life Annuities, including £550,400 Stock, bought with money received for said Annuities	{ 802,249 9 9 52,012 0 0		{ 3 per cent. 3½ per cent.	25,757 17 5
	By ditto transferred for the purchase of Annuities for terms of years, including £19,750 Stock, bought with money received for said Annuities...	37,380	0 0	3 per cent.		1,121 7 11½
	By ditto transferred to the Commissioners for the Reduction of the National Debt, the Dividends upon which had remained unclaimed 10 years or upwards, 56, Geo. III, c. 60	{ 44,700 18 4 13,736 1 8		{ 3 per cent. 3½ per cent.	1,787 8 11½
	By Long Annuities, ditto transferred to ditto, 56 Geo. III, c. 60	
	By Annuities for terms of years, 10 Geo. IV, c. 24, ditto transferred to ditto, 2 and 3 Will. IV, c. 59 .....	...	...	...	3 0 0
	By Capital purchased with Unclaimed Dividends, 56 Geo. III, c. 60.....	84,500	0 0	3 per cent.	2,535 0 0
	By South Sea Capital transferred to the Commissioners, the Dividends upon which had remained Unclaimed 10 years or upwards, 7 & 8 Vict. c. 80	1,038	6 8	3 per cent.	31 3 0
	By Capital purchased with South Sea Unclaimed Dividends, 7 and 8 Vict. c. 80	2,470	6 1	3½ per cent.	80 5 7½
	By ditto transferred to the Commissioners on account of the Redemption of Land Tax, under Schedules A and B	31,927	2 7	3 per cent.	957 16 3
	By ditto transferred from the Funded Debt in Great Britain to the Funded Debt in Ireland, 5 Geo. IV, c. 53	{ 448,585 11 9 474,936 2 2		{ 3 per cent. 3½ per cent.	32,142 19 8½
	By Long Annuities transferred from ditto to ditto	
	By Annuities for terms of years, transferred from ditto to ditto .....	...	...	...	4,300 0 0
	By Life Annuities, 48 Geo. III, c. 142; 10 Geo. IV, c. 24, and 3 Will. IV, c. 14, expired and unclaimed.....	...	...	...	54,834 15 0
By Annuities for a limited term of years, per 10 Geo. IV, c. 24, and 3 Will. IV, c. 14, expired .....	...	...	...	1,076 9 0	
By management decreased.....	...	...	...	1,560 18 1	
By Fractions .....	...	...	...	3	
TOTAL DEBT reduced in 1851.....£		5,202,790	2 9	...	236,648 9 9½
Balance due to the Public Creditor, 5th January, 1852.....		724,215,340	10 9½	...	25,944,574 17 10
Management .....		...	...	...	90,726 8 6
GENERAL TOTAL, Great Britain		£ 729,418,130	13 6½		26,271,949 16 1½

continued.

TOTAL AMOUNT OF

IRELAND.		CAPITAL STOCK.		ANNUAL CHARGE thereon.
		£ s. d.		£ s. d.
On 5th January, 1851.	To Unredeemed Capital ...	40,644,014 16 5	...	1,313,342 0 3 $\frac{1}{2}$
	To Long Annuities, expire 1860.	...	...	65,424 18 10
	To Annuities for a limited term of years, per 10 Geo. IV, c. 24. ...	...	...	51,200 0 0
	To Tontine Annuities, 13 & 14, 15 & 16, and 19 & 20 Geo. III (Irish Acts), payable in Ireland... ..	...	...	6,524 2 3
	TOTAL DEBT at 5th January, 1851 ... £	40,644,014 16 5	...	1,436,491 1 4 $\frac{1}{2}$
DEBT created in the Year 1851.	To Capital transferred from the Funded Debt in Great Britain to the Funded Debt in Ireland, 5 Geo. IV, c. 53	{ 448,585 11 9 574,936 2 2	{ 3 per cent. 3 $\frac{1}{2}$ per cent.	32,142 19 8 $\frac{1}{2}$
	To Long Annuities transferred from ditto to ditto ...	...	...	16,800 0 0
	To Annuities for Terms of Years transferred from ditto to ditto ...	...	...	4,300 0 0
	TOTAL DEBT created in 1851 ... £	1,023,521 13 11	...	53,242 19 8 $\frac{1}{2}$
GENERAL TOTAL, Ireland... .. £		41,667,536 10 4	...	1,489,734 1 1 $\frac{1}{2}$

SUMMARY:

				DEBT.		CHARGE.						
				£	s. d.	£	s. d.					
TOTAL UNREDEEMED DEBT, on 5th January, 1851.	}	GREAT BRITAIN	...	...	728,628,547	4	6½	26,183,958	16	4
		IRELAND	...	...	40,644,014	16	5	1,436,491	1	4½
				£	769,272,562	0	11½	27,620,449	17	8½		
DEBT created in the Year 1851.	}	GREAT BRITAIN	...	...	789,583	9	0	87,990	19	9½
		IRELAND	...	...	1,023,521	13	11	53,242	19	8½
				£	1,813,105	2	11	141,233	19	6½		
TOTAL				£	771,085,667	3	10½	27,761,683	17	3

NOTE.—TOTAL UNREDEEMED DEBT and CHARGE on 5th January, 1851, as above
Ditto " " on 5th January, 1852

DIMINUTION of CAPITAL and CHARGE in the Year ending 5th January, 1852

UNREDEEMED FUNDED DEBT—*continued.*

		CAPITAL STOCK.		ANNUAL CHARGE thereon.
		£ s. d.		£ s. d.
DEBT reduced in the Year 1851.	By Capital transferred from the Funded Debt in Ireland to the Funded Debt in Great Britain, 5 Geo. IV. c. 53 ...	{ 531,280 8 4 225,014 10 7	{ 3 per cent. 3½ per cent.	{ 23,251 7 7½
TOTAL DEBT reduced in 1851 ... £		756,294 18 11	...	23,251 7 7½
Balance due to the Public Creditor, 5th January, 1852		40,911,241 11 5	...	1,466,482 13 6
GENERAL TOTAL, Ireland ...		£ 41,667,536 10 4	...	1,489,734 1 1½

SUMMARY:

		DEBT.	CHARGE.
		£ s. d.	£ s. d.
DEBT reduced in the Year 1851.	GREAT BRITAIN ...	5,202,790 2 9	236,648 9 9½
	IRELAND ...	756,294 18 11	23,251 7 7½
	£	5,959,085 1 8	259,899 17 5
TOTAL UNREDEEMED DEBT on 5th January, 1852.	GREAT BRITAIN ...	724,215,340 10 9½	26,035,301 6 4
	IRELAND ...	40,911,241 11 5	1,466,482 13 6
	£	765,126,582 2 2½	27,501,783 19 10
TOTAL	£	771,085,667 3 10½	27,761,683 17 3

				DEBT.	CHARGE.
				£ s. d.	£ s. d.
...	...	...	...	769,272,562 0 11½	27,620,449 17 5½
...	...	...	...	765,126,582 2 2½	27,501,783 19 10
...	...	...	...	4,145,979 18 9	118,665 17 10½

AN ACCOUNT of the State of the PUBLIC FUNDED DEBT of GREAT

DEBT.

	CAPITALS.	CAPITALS Transferred to and standing in the names of the Commissioners.	CAPITALS Unredeemed.
	£ s. d.	£ s. d.	£ s. d.
GREAT BRITAIN.			
Debt due to the South Sea } at 3 per Company } cent.	3,662,784 8 6½	... ..	3,662,784 8 6½
Old South Sea Annuities ditto	2,822,778 9 10	10,891 16 4	2,811,886 13 6
New South Sea Annuities ditto	2,074,984 9 5	12,754 0 1	2,062,230 9 4
South Sea Annuities, 1751... .. ditto	468,300 0 0	3,219 8 3	465,080 11 9
Debt due to the Bank } of England } ... ditto	11,015,100 0 0	... ..	11,015,100 0 0
Bank Annuities, 1726 ditto	694,692 18 7	1,162 7 7	693,530 11 0
Consolidated Annuities ditto	372,163,688 6 1½	976,905 6 0	371,186,783 0 1½
Reduced Annuities ditto	118,326,026 14 1	1,431,574 7 1	116,894,452 7 0
TOTAL at 3 per cent. £	511,228,355 6 6½	2,436,507 5 4	508,791,848 1 2½
Annuities at 3½ per cent.	215,375,982 14 7	382,941 13 2	214,993,041 1 5
New 5 per cent. Annuities	431,076 3 2	624 15 0	430,451 8 2
TOTAL, GREAT BRITAIN £	727,035,414 4 3¾	2,820,073 13 6	724,215,340 10 9¾
IRELAND.			
Irish Consolidated Annuities, { at 3 per cent.	5,480,436 14 7	... ..	5,480,436 14 7
Irish Reduced Annuities ditto	121,738 1 10	... ..	121,738 1 10
Annuities at 3½ per cent... ..	32,675,623 19 2	... ..	32,675,623 19 2
Debt due to the Bank of Ireland, } at 3½ per cent. } ...	2,630,769 4 8	... ..	2,630,769 4 8
New 5 per cent. Annuities... ..	2,673 11 2	... ..	2,673 11 2
TOTAL, IRELAND £	40,911,241 11 5	... ..	40,911,241 11 5
TOTAL, UNITED KINGDOM, } on 5th January, 1852... .. } ...£	767,946,655 15 8½	2,820,073 13 6	765,126,582 2 2¾

BRITAIN and IRELAND, and the Charge thereupon, at 5th of January, 1852.

CHARGE.

		IN GREAT BRITAIN.	IN IRELAND.	TOTAL ANNUAL CHARGE OF UNREDEEMED DEBT.
		£ s. d.	£ s. d.	£ s. d.
Due to the Public Creditor.	Annual Interest on Unredeemed Capital	22,272,551 16 11	1,322,233 12 5	
	Long Annuities, expire 1860 ...	1,210,798 17 0	82,224 18 10	
	Annuities per 4 Geo. IV, c. 22, } expire 1867... ..	585,740 0 0		
	Annuities for a limited term of Years, per 59 Geo. III, c. 34, 10 Geo. IV, c. 24, and 3 Will. IV, c. 14, which expire at various periods, viz:			
	Granted up to } Jan. 5, 1852 } 1,696,992 14 6			
	Deduct ex- } pired and } unclaimed } up to ditto, } including } £106,100, } Waterloo } Annuities, } 59 Geo. III, } c. 34 }	800,989 8 2		
	£896,003 6 4	viz. 840,503 6 4	55,500 0 0	
	Life Annuities, per 48 Geo. III, c. 142, 10 Geo. IV, c. 24, and 3 Will. IV, c. 14, viz:			
	Granted } up to } Jan. 5, } 1852 }	£2,474,821 8 0		
	Deduct } expired } and un- } claimed } up to } ditto ... }	1,489,415 17 0		
Payable at the National Debt Office.		985,405 11 0		
	Tontine and other } English Life Annuities, } per various Acts } Irish ...	15,344 18 0 34,230 8 7		
		£ 25,944,574 17 10	1,466,482 13 6	
	Management	90,726 8 6		
TOTAL ANNUAL CHARGE, exclusive of £88,246 Os. 8½d., the Annual Charge on Capitals and Long Annuities and Annuities for Terms of Years, per 10 Geo. IV, c. 24, standing in the Names of the Commissioners on account of Stock Unclaimed 10 Years or upwards, and of Unclaimed Dividends, and also on account of Donations and Bequests		26,035,301 6 4	1,466,482 13 6	27,501,783 19 10

AN ACCOUNT of the State of

ABSTRACT.

	CAPITALS.			CAPITALS Transferred to and Standing in the Names of the Commissioners.			CAPITALS UNREDEEMED.		
	£	s.	d.	£	s.	d.	£	s.	d.
GREAT BRITAIN } 727,035,414	4	3 $\frac{3}{4}$	2,820,073	13	6	724,215,340	10	9 $\frac{3}{4}$	
IRELAND	40,911,241	11	5	-	-	-	40,911,241	11	5
TOTAL United Kingdom on 5th January, 1852	767,946,655	15	8 $\frac{3}{4}$	2,820,073	13	6 (a)	765,126,582	2	2 $\frac{3}{4}$

	£	s.	d.
(a) On account of Donations and Bequests	402,691	12	10
Ditto of Stock Unclaimed 10 { Bank ..	520,119	12	1
years or upwards .. { South Sea ..	51,707	3	11
Ditto of Unclaimed Dividends { Bank ..	1,818,690	0	0
{ South Sea ..	26,865	4	8
	<u>£2,820,073</u>	13	6

The Act 10 Geo. IV, c. 27, which came into operation at the 5th July, 1829, enacts, That the Sum thenceforth annually applicable to the Reduction of the National Debt of the United Kingdom shall be the sum which shall appear to be the amount of the whole actual annual surplus Revenue, beyond the expenditure of the said United Kingdom; and the following Sums have been accordingly received by the Commissioners, for the Reduction of the National Debt, including Sums on account of Donations and Bequests, viz. :

the PUBLIC FUNDED DEBT—*continued.*

ANNUAL CHARGE OF UNREDEEMED DEBT.

Due to the Public Creditor.	MANAGEMENT.	TOTAL.
£ s. d.	£ s. d.	£ s. d.
25,944,574 17 10	90,726 8 6	26,035,301 6 4
1,466,482 13 6	- - - -	1,466,482 13 6
27,411,057 11 4	90,726 8 6	27,501,783 19 10

DEFERRED ANNUITIES OUTSTANDING, 5TH JANUARY, 1852,

	£ s. d.
Deferred Life Annuities, per 10 Geo. IV, c. 24, and } 3 Will. IV, c. 14	34,033 14 0
Deferred Annuities for Terms of Years, per ditto ..	1,210 11 6
	<u>£35,244 5 6</u>

APPLICABLE BETWEEN	ON ACCOUNT OF					
	The Sinking Fund.			Donations and Bequests.		
	£	s.	d.	£	s.	d.
5th April and 5th July, 1851	644,701	10	9	2,098	15	5
5th July and 10th October, 1851....	731,545	5	7	3,818	10	11
10th October, 1851 and 5th Jan., 1852	758,196	11	10	2,131	10	5
5th January and 5th April, 1852	744,752	17	10	3,877	11	10
	<u>£2,879,196</u>	<u>6</u>	<u>0</u>	<u>11,926</u>	<u>8</u>	<u>7</u>

A. Y. SPEARMAN, Comptroller-General.

AN ACCOUNT OF THE UNFUNDED DEBT OF GREAT BRITAIN
AND IRELAND ;

And of the Demands outstanding on the 5th January, 1852;

Distinguished under the following heads; viz.—Exchequer Bills; Sums remaining unpaid, charged upon the Aids granted by Parliament, and the Exchequer Bills to be issued out of the Consolidated Fund; and distinguishing also such part of the Unfunded Debt and Demands as have been provided for by Parliament; together with an ACCOUNT of the WAYS and MEANS remaining in the Exchequer, or to be received on the 5th January, 1852, to defray such part of the Unfunded Debt and Demands as have been provided for.

	PROVIDED.			UNPROVIDED.			TOTAL.		
	£	s.	d.	£	s.	d.	£	s.	d.
Exchequer Bills .....	..	..		17,742,800	0	0	17,742,800	0	0
Sums remaining un- paid charged upon Aids granted by Parliament	7,268,467	6	3	..	..		7,268,467	6	3
Total Unfunded Debt, and Demands out- standing	7,268,467	6	3	17,742,800	0	0	25,011,267	6	3
WAYS AND MEANS	8,297,892	19	1						
SURPLUS OF WAYS AND MEANS.....	1,029,425	12	10						
Deduct the Amount of Exchequer Bills paid off out of Ways and Means, Money Grants, but which it is not proposed to replace by the issue of Exchequer Bills	13,800	0	0						
Surplus of Ways and Means remaining at the disposal of Par- liament.....	1,015,652	12	10						
EXCHEQUER BILLS to be issued to com- plete the charge upon the Consoli- dated Fund .....	..	..		Nil.			Nil.		

GEO. A. HAMILTON.

Whitehall, Treasury Chambers, February 28, 1852.

TRADE OF THE UNITED KINGDOM.

AN ACCOUNT of the VALUE of the IMPORTS into, and of the EXPORTS from, the United Kingdom of GREAT BRITAIN and IRELAND,

During each of the Three Years ending the 5th January, 1852; calculated at the Official Rates of Valuation, and distinguishing the Amount of the Produce and Manufactures of the United Kingdom Exported, from the Value of Foreign and Colonial Merchandise Exported:—Also, stating the Amount of the Produce and Manufactures of the United Kingdom Exported therefrom, according to the Real or Declared Value thereof.

YEARS ending 5th Jan.	VALUE of IMPORTS into the United Kingdom, calculated at the Official Rates of Valuation.	VALUE OF EXPORTS FROM THE UNITED KINGDOM, calculated at the Official Rates of Valuation.			VALUE of the Produce and Manufactures of the United Kingdom Exported therefrom, according to the Real or Declared Value thereof.
		Produce and Manufactures of the United Kingdom.	Foreign and Colonial Merchandise.	TOTAL EXPORTS.	
1850	£ 105,874,607	£ 164,527,753	£ 25,561,890	£ 190,089,643	£ 63,596,025
1851	100,460,433	175,416,709	21,893,167	197,309,876	71,367,885
1852	110,679,125	190,652,212	23,732,703	214,384,915	74,448,722

Inspector-General's Office,
Custom House, London, March 24, 1852.

R. D. WOODIFIELD,
Inspector-General of Imports
and Exports.

TRADE OF GREAT BRITAIN WITH FOREIGN PARTS.

AN ACCOUNT of the Value of the IMPORTS into, and of the EXPORTS from, GREAT BRITAIN,

During each of the Three Years ending the 5th January, 1852; calculated at the Official Rates of Valuation, and stated exclusively of the Trade with Ireland; distinguishing the Amount of the Produce and Manufactures of the United Kingdom Exported, from the Value of Foreign and Colonial Merchandise Exported:—Also, stating the Amount of the Produce and Manufactures of the United Kingdom Exported from Great Britain, according to the Real or Declared Value thereof.

YEARS ending 5th Jan.	VALUE of IMPORTS into Great Britain, calculated at the Official Rates of Valuation.	VALUE OF EXPORTS FROM GREAT BRITAIN, Calculated at the Official Rates of Valuation.			VALUE of the Produce and Manufactures of the United Kingdom, Exported from Great Britain, ac- cording to the Real or Declared Value thereof.
		Produce and Manufactures of the United Kingdom.	Foreign and Colonial Merchandise.	TOTAL EXPORTS.	
1850	£ 99,843,038	£ 164,263,481	£ 25,557,329	£ 189,820,810	£ 63,319,937
1851	95,252,084	175,126,706	21,882,977	197,009,683	71,111,370
1852	103,579,582	190,397,810	23,726,372	214,124,182	74,213,427

Inspector-General's Office,
Custom-House, London, March 24, 1852.

R. D. WOODIFIELD,
Inspector-General of Imports
and Exports.

TRADE OF IRELAND WITH FOREIGN PARTS.

AN ACCOUNT of the Value of the IMPORTS into, and of the EXPORTS from, IRELAND, during each of the Three Years ending 5th January, 1852 (calculated at the Official Rates of Valuation, and stated exclusively of the Trade with GREAT BRITAIN); distinguishing the Amount of the Produce and Manufactures of the United Kingdom Exported from the Value of Foreign and Colonial Merchandize Exported:—Also, stating the Amount of the Produce and Manufactures of the United Kingdom Exported from IRELAND, according to the Real or Declared Value thereof.

YEARS ending 5th January	VALUE of Imports into Ireland, calculated at the Official Rates of Valuation.	VALUE OF EXPORTS FROM IRELAND, Calculated at the Official Rates of Valuation.			VALUE of the Produce and Manufactures of the United Kingdom exported from Ireland, according to the Real or Declared Value thereof.
		Produce and Manufactures of the United Kingdom.	Foreign and Colonial Merchandize.	TOTAL EXPORTS.	
	£	£	£	£	£
1850	6,031,569	264,272	4,561	268,833	276,088
1851	5,208,349	290,003	10,190	300,193	256,515
1852	7,099,543	254,402	6,331	260,733	235,295

Inspector General's Office, Custom House, London,

March 24, 1852.

R. D. WOODIFIELD,

Inspector General of Imports and Exports.

NAVIGATION OF THE UNITED KINGDOM.

NEW VESSELS BUILT.

AN ACCOUNT of the Number of VESSELS, with the Amount of their TONNAGE, that were Built and Registered in the several Ports of the BRITISH EMPIRE, in the Years ending 5th January, 1850, 1851, and 1852 respectively.

	IN THE YEARS ENDING 5TH JANUARY,					
	1850.		1851.		1852.	
	Vessels.	Tonnage.	Vessels.	Tonnage.	Vessels.	Tonnage.
England	570	91,683	528	101,666	521	109,811
Scotland	135	24,123	136	30,100	138	38,858
Ireland	25	2,147	25	1,929	13	968
Isles of Guernsey, } Jersey and Man }	41	3,313	36	3,835	30	2,926
British Plantations..	691	123,864	714	124,953	546	122,576
TOTAL	1,462	245,130	1,439	262,483	1,248	275,139

Note.—The Account rendered for the Plantations for the Year ending 5th January, 1851, is now corrected; and as several Returns for that part of the Empire are not yet received for the last Year, a similar correction will be necessary when the next Account is made up.

Custom House, London, March 23, 1852.

W. H. NOSS,
Registrar-General of Shipping

NAVIGATION OF THE UNITED KINGDOM—*continued.*

VESSELS REGISTERED.

AN ACCOUNT of the Number of Vessels, with the Amount of their TONNAGE, and the Number of MEN and BOYS usually employed in Navigating the same, that belonged to the several Ports of the BRITISH EMPIRE, on the 31st December, 1849, 1850, and 1851, respectively.

	On the 31st December, 1849.			On the 31st December, 1850.			On the 31st December, 1851.		
	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.	Vessels.	Tons.	Men.
England	19,001	2,030,685	141,883	19,288	2,721,200	143,701	19,404	2,803,052	145,222
Scotland	3,677	522,773	30,486	3,601	522,222	20,266	3,587	536,266	20,587
Ireland	2,333	267,682	14,590	2,249	261,432	14,103	2,203	262,411	14,155
Isles of Guernsey, } Jersey and Man. }	831	53,818	5,941	846	60,189	6,010	849	60,615	5,738
British Plantations...	8,188	658,157	45,071	8,304	667,829	46,113	8,201	669,741	46,166
Total.	34,000	4,144,115	237,971	34,288	4,232,062	239,283	34,244	4,332,085	240,928

Custom House, London, March 23, 1852.

W. H. NOSS,
Registrar-General of Shipping.

VESSELS EMPLOYED IN THE FOREIGN TRADE.

AN ACCOUNT of the number of VESSELS, with the Amount of their TONNAGE, (including their repeated Voyages), that entered inwards and cleared outwards at the several Ports of the UNITED KINGDOM from and to Foreign Parts, during each of the Three Years ending 5th January, 1852.

SHIPPING ENTERED INWARDS IN THE UNITED KINGDOM, FROM FOREIGN PARTS.

GREAT BRITAIN.

Years ending 5th January.	British and Irish Vessels.		Foreign Vessels.	
	Vessels.	Tons.	Vessels.	Tons.
1850	21,969	4,566,503	12,657	1,889,263
1851	21,371	4,454,007	14,259	2,233,860
1852	21,299	4,632,373	15,056	2,664,574

IRELAND.

Years ending 5th January.	British and Irish Vessels.		Foreign Vessels.	
	Vessels.	Tons.	Vessels.	Tons.
1850	1,677	317,707	769	146,427
1851	1,338	246,192	886	166,417
1852	1,603	306,013	1,230	269,134

NAVIGATION OF THE UNITED KINGDOM—*continued.*

VESSELS EMPLOYED IN THE FOREIGN TRADE.

AN ACCOUNT of the Number of VESSELS, with the Amount of their TONNAGE (including their repeated Voyages), that entered Inwards and cleared Outwards at the several Ports of the UNITED KINGDOM from and to Foreign Parts, during each of the Three Years ending 5th January, 1852.

SHIPPING ENTERED INWARDS IN THE UNITED KINGDOM, FROM FOREIGN PARTS.
UNITED KINGDOM.

Years ending 5th January.	British and Irish Vessels.		Foreign Vessels.	
	Vessels.	Tons.	Vessels.	Tons.
1850	23,646	4,884,210	13,426	2,035,690
1851	22,709	4,700,199	15,145	2,400,277
1852	22,902	4,938,386	16,286	2,933,708

SHIPPING CLEARED OUTWARDS FROM THE UNITED KINGDOM TO FOREIGN PARTS.
GREAT BRITAIN.

Years ending 5th January.	British and Irish Vessels.		Foreign Vessels.	
	Vessels.	Tons.	Vessels.	Tons.
1850	21,412	4,545,807	14,605	2,174,698
1851	21,308	4,577,222	16,139	2,515,573
1852	20,985	4,669,508	16,682	2,991,883

IRELAND.

Years ending 5th January.	British and Irish Vessels.		Foreign Vessels.	
	Vessels.	Tons.	Vessels.	Tons.
1850	916	239,621	670	124,362
1851	681	165,123	761	146,670
1852	813	212,982	1,025	233,731

UNITED KINGDOM.

Years ending 5th January.	British and Irish Vessels.		Foreign Vessels.	
	Vessels.	Tons.	Vessels.	Tons.
1850	22,328	4,785,428	15,275	2,299,060
1851	21,989	4,742,345	16,900	2,662,243
1852	21,798	4,882,490	17,707	3,225,614

Custom House, London, March 23, 1852.

W. H. NOSS,
Registrar-General of Shipping.

*CORRESPONDENCE respecting Refugees from Hungary within the Turkish Dominions.—1851.**

[Continued from Vol. XXXVIII. Page 1266.]

No. 164.—Viscount Palmerston to Sir Stratford Canning.

SIR,

Foreign Office, January 2, 1851.

I HAVE to acquaint you that Her Majesty's Government approve of the course which you have pursued, as reported in your despatch of the 5th ultimo, in consequence of the delay of the Porte in returning an answer to your inquiries respecting the detention of General Dembinski.

I am, &c.

H.E. Sir Stratford Canning.

PALMERSTON.

No. 165.—Sir Stratford Canning to Visc^t. Palmerston.—(Rec. Jan. 20.)

MY LORD,

Constantinople, January 4, 1851.

AALI Pasha sent me word to-day by M. Frederick Pisani, that he had formally declared to the Austrian Chargé d'Affaires, that if the Vienna post which is now due, or that of the ensuing week, should not bring the long-expected answer of the Austrian Cabinet respecting General Dembinski, the Porte would allow that officer to leave its territory without further delay for whatever country he might prefer.

I have, &c.

Viscount Palmerston, G.C.B.

STRATFORD CANNING.

No. 166.—Sir Stratford Canning to Visc^t. Palmerston.—(Rec. Feb. 3.)

MY LORD,

Constantinople, January 15, 1851.

I HAVE reason to believe that the Turkish Ministers have at length made up their minds to release General Dembinski without further delay. Aali Pasha pledged his word to me that if the answer expected from Vienna did not arrive by the last Austrian post, the decision of the Porte would be no longer deferred. The post which came in 3 days ago did not bring that answer, and I have therefore called upon his Excellency to redeem his pledge. He has assured me in his reply to-day, that the Porte is going to take the Sultan's pleasure for the immediate release of the General.

I have, &c.

Viscount Palmerston, G.C.B.

STRATFORD CANNING.

No. 167.—Viscount Palmerston to Sir Stratford Canning.

SIR,

Foreign Office, February 7, 1851.

I HAVE to acquaint your Excellency that Her Majesty's Government have received from various quarters memorials praying the interposition of Her Majesty's Government to obtain the release of M. Kossuth and his companions, now detained in Asia Minor; and

* Laid before Parliament, 1852.

I have to instruct your Excellency to bring this circumstance under the notice of the Turkish Government, as proving the deep and general interest which is felt by the people of this country on the subject to which these memorials relate.

Your Excellency should at the same time observe that a general and hearty support was afforded by the British Nation to Her Majesty's Government in regard to the measures adopted last year to assist the Sultan in declining to comply with the demands which were made upon him with respect to the Polish and Hungarian refugees; but that support was founded upon the impression that the Sultan, if duly assisted by Great Britain, would act a thoroughly independent part in regard to those refugees.

The Turkish Government would do well to remember that Great Britain can act efficiently in support of the Turkish Empire only as far as the British Government may be backed by public opinion in this country.

I am, &c.

H.E. Sir Stratford Canning.

PALMERSTON.

No. 168.—Sir Stratford Canning to Visé. Palmerston.—(Rec. Feb. 8.)
 MY LORD, *Constantinople, January 20, 1851.*

A GENOESE ship, having 270 Polish refugees on board and chartered at the Porte's expense, is now leaving the harbour of Constantinople for that of Liverpool, where its unfortunate inmates, though having in view a further voyage to the United States of America, are obliged to touch in consequence of not having the means of direct conveyance to their final place of destination. I learn from Aali Pasha that 240 of these emigrants have received from the Porte a sufficient sum of money to defray the expenses of their voyage, and to leave them in possession of a month's subsistence after reaching the coast of England. They are also provided with an American passport for The United States. The remaining 32 received a similar amount of assistance, partly from the Porte and partly from another source. They went on board to replace as many Hungarians who had come with the residue of the emigration from Shumla, and wished to form a colony in the Sultan's dominions.

These 30 Hungarians with 36 others of the same nation collected here, and looking to M. Kossuth for advice and guidance, are now also on the point of embarking for England in the Oriental steam-packet, the Porte having ordered them away, notwithstanding my representations in their favour, and having at the same time supplied them with money to defray the expenses of their passage, and to provide for their personal wants on first arriving at Liverpool.

It would be difficult for any one to contemplate the fate of these poor emigrants without a strong feeling of compassion. They have not, it is true, been left without assistance, and they have sometimes

manifested unreasonable and impatient expectations; but they have had to undergo from first to last a most unnecessary degree of vexation; and their present removal from Turkey, though relieving the Porte from an irksome embarrassment and probably sparing them much fruitless labour in an unprofitable enterprise, must operate as a death blow to their dearest hopes and a painful aggravation of Kossuth's exile.

The only arm which I could use on their behalf was that of persuasion, and although I could not probably have used it with more effect, I should have used it with more satisfaction if I had been more firmly convinced of the reality of their resources for establishing an agricultural colony in this country, and had reason to entertain a better opinion of those auxiliary means on which they had been led, rather too sanguinely I fear, to rely. As it is, my success has been limited to obtaining a somewhat larger amount of money for their voyage and subsequent subsistence than the Porte was at first inclined to allow. I have, &c.

Viscount Palmerston, G.C.B.

STRATFORD CANNING.

P.S.—I learn this moment by a message from the Porte, that the embarkation of the Hungarian emigrants is suspended till the departure of the next Oriental steam-packet. S. C.

No. 169.—Sir Stratford Canning to Visc^e. Palmerston.—(Rec. Feb. 19.)

MY LORD,

Constantinople, February 4, 1851.

AWARE of the lively interest which Her Majesty's Government benevolently take in the cessation of that very questionable act of political necessity which has so long detained the most illustrious of the exiles of Hungary at Kutahia, I have repeatedly reminded the Turkish Ministers of their promise to reconsider the question as soon as the Sultan's Ambassador at Vienna should report the issue of his communications with Prince Schwarzenberg on that subject. It is with sentiments of unfeigned concern that I continue to receive from Aali Pasha a repetition of the same motive for delay. Only 4 days have elapsed since his Excellency sent me word that the Ambassador, owing to Prince Schwarzenberg's absence from Vienna, had not hitherto succeeded in fulfilling his instructions with respect to the refugees. He added, however, that the next Austrian post was likely to bring the expected report.

With respect to General Dembinski I have been surprised and mortified to learn that the order for his liberation had not been dispatched to Kutahia 15 days after I had been led to expect that it would be no longer delayed. I have not concealed from Aali Pasha the feelings which this disappointment has naturally excited in my mind; and the satisfaction which I now derive from his assurance that the order for General Dembinski's release will be

forthwith transmitted to Kutahia will not be complete until I hear that the order has been actually carried into effect.

I have, &c.

Viscount Palmerston, G.C.B.

STRATFORD CANNING.

No. 170.—*Sir Stratford Canning to Visc^t. Palmerston.*—(Rec. Mar. 10.)
(Extract.) *Constantinople, February 19, 1851.*

I TRANSMIT herewith in copy an instruction addressed by me to M. Frederick Pisani, together with that gentleman's report of Aali Pasha's reply to his communication of its contents.

Viscount Palmerston, G.C.B.

STRATFORD CANNING.

(Inclosure 1.)—*Sir Stratford Canning to M. F. Pisani.*

SIR,

British Palace, February 13, 1851.

I AM happy to learn from your report of Aali Pasha's answer to my message respecting the refugees at Kutahia, that the Porte is not disposed to accept the Austrian view of that subject. I sincerely hope that the Turkish Government, in addition to this result of its sagacity and sense of justice, will have the firmness to act according to its convictions and true interests. It has already more than fulfilled its engagements towards Austria. It remains for it to redeem the pledge which it gave at the same time to Europe, and more especially to those Powers which stood by it in the hour of menace and apparent danger. By so doing the Porte will not only perform an act of justice which, however tardy, will do it credit in the eyes of Europe; but it will best consult its dignity and lay a just claim to the lasting gratitude of those concerned.

The proposed separation of the refugees, and the conditions attached to the liberation of some of them, however disguised under specious terms, are in truth and reality fresh acts of injustice towards the refugees, and of humiliation to the Porte.

The Sultan and his Ministers have only to release the whole party at once, as in right they are entitled and in justice bound to do. A proceeding so just, humane, and honourable would not expose them to any well-founded complaints from Austria, while it would entitle them to the approval and cordial sympathy of all Christendom.

I venture to hope that Aali Pasha will enable you to give me a full assurance to this effect for the satisfaction of Her Majesty's Government.

You will read this instruction to Aali Pasha, requesting him to convey the expressions of my sentiments to the Sultan as well as to his colleagues.

I am, &c.

M. Pisani.

STRATFORD CANNING.

(*Inclosure 2.*)—*M. Pisani to Sir Stratford Canning.*

M. L'AMBASSADEUR,

Péra, ce 13 Février, 1851.

J'AI l'honneur d'informer votre Excellence que j'ai lu et expliqué mot à mot à Aali Pacha votre instruction en date de ce jour, relativement aux réfugiés de Kutahia.

Aali Pacha a de nouveau exprimé son opinion particulière que la séparation demandée par l'Autriche ne serait pas convenable ; "mais," dit-il, "je ne suis pas encore à même de rien dire de positif à cet égard qu'au préalable le Conseil n'ait discuté cette grave question. En attendant, j'assure," ajouta le Ministre, "que je ne manquerai pas de faire connaître et au Sultan et à mes collègues, les sentiments que Mr. Canning exprime à cette occasion."

J'ai, &c.

H.E. Sir Stratford Canning.

FREDK. PISANI.

No. 171.—Sir Stratford Canning to Visc^t. Palmerston.—(Rec. Mar. 10.)

MY LORD,

Constantinople, February 19, 1851.

THE Austrian Government has signified to the Porte its assent to the immediate liberation of a large majority of the refugees detained at Kutahia. Eight persons, including M. Kossuth and Count Batthyani, are excepted, together with a certain number of those who volunteered to join them from the first, and who have since partaken their detention. Certain conditions are attached to the liberation of the others, and it is even required that General Dembinski should not be allowed to come here before he leaves the Sultan's dominions.

The Porte is ready to assert its right to liberate the whole party without further delay, but hesitates as to acting in that sense without another and a final reference to Vienna.

The advice which I have given to Aali Pasha may be easily anticipated by your Lordship. It is simply that the Porte should act up to its declared principle, and do itself honour by declining to be a party to an arrangement which separates one part of the refugees from another, and increases the difficulty of releasing the latter part hereafter. I am not yet aware that the Council has come to a decision. Judging from the language of Aali Pasha, it is probable that a written answer will be returned to the note presented by M. de Klezl, the Austrian Chargé d'Affaires, that General Dembinski will be allowed to come here ; that the individuals to be liberated with Austria's assent will be sent out of the empire ; and that the remainder will only be detained to allow time for a fresh reference to Vienna, out of a friendly consideration for the wishes of the Austrian Government.

I have, &c.

Viscount Palmerston, G.C.B.

STRATFORD CANNING.

No. 172.—*Viscount Palmerston to Sir Stratford Canning.*

SIR,

Foreign Office, March 15, 1851.

I HAVE received your Excellency's despatch of the 19th February, from which it appears that the Austrian Government has consented to the immediate release of a certain portion of the Hungarian refugees at Kutahia, but requires that the remainder of them should still be detained there; and I have to acquaint your Excellency that Her Majesty's Government approve the course pursued and the language held by you, as reported in your despatch, in regard to the communication recently made to the Porte on this matter by the Austrian Government.

The Sultan having performed his engagement towards the Emperor of Austria, which was to keep the Hungarian refugees in Turkey until tranquillity should be restored in Hungary, it would certainly not be consistent with his dignity as an independent Sovereign, to become the gaoler for a foreign Power, and to continue to act as such as long as it might please that foreign Power to require him to remain in that unbecoming condition.

I am, &c.

H.E. Sir Stratford Canning.

PALMERSTON.

No. 173.—*Sir Stratford Canning to Visc^t. Palmerston.*—(*Rec. Mar. 26.*)
(Extract.) *Constantinople, March 6, 1851.*

THE Porte has not yet taken any final decision with respect to the refugees at Kutahia. A Council is shortly to be held on the subject. I have made the most strenuous representations in favour of their immediate release. My principle instruction upon the subject to M. Pisani is inclosed herewith in copy. I have seen the Grand Vizier and personally enforced upon his Highness the arguments employed in that paper, which has been left with Aali Pasha for communication to the higher authorities. I am apprehensive, however, that the urgent and intimidating remonstrances of the Austrian Legation will so far produce their effect as to cause a fresh postponement of the just and humane measure which I have so earnestly recommended. The improved position of Austria, and some want of prudence on the side of those at Kutahia, increase the difficulty of sustaining the Porte's resolution.

Viscount Palmerston, G.C.B.

STRATFORD CANNING.

(*Inclosure 1.*)—*Sir Stratford Canning to M. Pisani.*

(Extract.)

British Palace, February 21, 1851.

THE verbal communications which you have had with Aali Pasha respecting the refugees at Kutahia allow me to hope that notwithstanding his very natural desire to obtain the assent of Austria to their complete liberation, a sense of justice and of her own dignity

and interest will finally determine the Porte to permit their departure from her dominions without further delay.

It cannot be denied that there is no longer any obligation whatever to protract their detention in Turkey. The only conceivable motive for waiting to make a fresh reference to Vienna, is one of courtesy and international compliment. The Turkish Council could not for a moment entertain the idea except as a demonstration of punctilious regard for a neighbouring empire. But how is an act of mere formal civility, alike unnecessary and unprofitable, to be justified, when so many powerful objections stand in array against it? Is the Porte, it may be asked, at liberty to overlook the positive obligations of justice, in order to gratify a feeling of neighbourly politeness? Has not the Cabinet of Vienna already received ample testimonies of the Porte's deference on this subject? Is it not time for the Porte to consider the claims of its own dignity and of its credit in other countries together with the recommendations of those friendly Powers, which have never ceased to counsel a wise, humane, and honourable course of conduct with respect to the refugees?

The Porte, it would seem, has thought itself bound by the ties of good neighbourhood, to fulfil with scrupulous exactness an incomplete engagement which was never formally contracted. She has fulfilled it with much cost and inconvenience to herself, at the expence of individuals recommended by their misfortunes and confiding in her humanity. How much more strongly then is she constrained to redeem in turn that other pledge which was virtually received from her hands by those who, at an alarming juncture, gave her the warmest proof of their sympathy and support?

These cogent reasons, which in truth admit of no solid answer, are further enforced by the manifest inutility of referring again to Vienna, and by the additional embarrassment which may easily result from an act of such needless supererogation. It cannot, moreover, be supposed that the Porte would volunteer without necessity to lay itself open in the sight of all Europe to a charge of wanton injustice?

The sentiments which prevail on this subject from one end of England to the other are well known, and you will not fail to recommend them to his Excellency's serious reflections, explaining to him the purport of the present instruction, and leaving a copy of it in his hands.

M. Pisani.

STRATFORD CANNING.

No. 174.—Sir Stratford Canning to Visct. Palmerston.—(Rec. Mar 26.)
(Extract.) *Constantinople, March 6, 1851.*

GENERAL DEMBINSKI arrived here from Kutahia a few days ago.

He is going to France, and will not I think be allowed to stay in this country beyond the end of the month. The Austrian Legation has complained vehemently of his being allowed to visit Constantinople at all. He came with the hope of making some arrangement for being constantly employed in the service of the Porte. Some prospect of the kind may possibly be held out to him; but the influence of Austria continues no doubt to be exerted against him, and amongst the symptoms of its being exerted with some degree of effect is the reluctance of the Turkish Ministers to receive him as a visitor.

Viscount Palmerston, G.C.B.

STRATFORD CANNING.

No. 175.—Sir Stratford Canning to Visc^t. Palmerston.—(Rec. April 1.)
 MY LORD, *Constantinople, March 18, 1851.*

THE Council has taken a decision respecting the refugees at Kutahia. Of 3 propositions submitted to the Ministry, they have adopted one which resolves on the liberation of all the refugees, with an immediate declaration of that tenor to the Austrian Chargé d'Affaires, and a delay of 30 days at most for the conveyance of a last notification to the Court of Vienna.

I have done everything in my power to obtain the liberation of the refugees, even without this formality, and I am still endeavouring, though with no great prospect of success, to obtain an immediate execution of the Porte's definitive resolution in their favour.

Inclosed herewith is a copy of my last instruction to M. Pisani on this subject, and you will perceive on perusing it, that I have made full use of your Lordship's correspondence and the memorials which accompanied it.

I have, &c.

Viscount Palmerston, G.C.B.

STRATFORD CANNING.

(Inclosure.)—Sir Stratford Canning to M. F. Pisani.

SIR,

Péra, March 15, 1851.

INCLOSED herewith is an extract of that instruction respecting the refugees at Kutahia which I lately received from Viscount Palmerston, and of which you have already communicated the substance to Aali Pasha.

In placing the extract in his Excellency's hands, you will observe that the terms of the memorials addressed to his Lordship on this subject from many of the towns of England, Scotland, and Wales, would have authorized the use of much stronger language. It is not to be concealed from the Porte, that public opinion in England is deeply affected by the weakness which has been shown by the Turkish Government in consenting to continue so long to be the gaolers for another Power of those unfortunate individuals who in

the first instance were protected so nobly by the Sultan, and whose rescue from death and reception in this country on principles no less sound than generous, procured for His Majesty the universal applause and admiration of the British people. I cannot too strongly recommend a serious attention to the important political interests concerned in a change of opinion pregnant with the gravest consequences, and to repeat my earnest hope and expectation that the Porte will no longer delay to complete its work of justice and humanity by the liberation of all the refugees detained without the least necessity at Kutahia.

You will read this instruction to Aali Pasha, and leave a copy of it with his Excellency.

I am, &c.

M. F. Pisani.

STRATFORD CANNING.

No. 176.—Viscount Palmerston to Sir Stratford Canning.

SIR,

Foreign Office, April 7, 1851.

I HAVE to acquaint your Excellency that Her Majesty's Government approve of your Excellency's continued endeavours, as reported in your despatch of the 18th ultimo, to hasten the liberation of the Hungarian refugees still detained at Kutahia.

I am, &c.

H.E. Sir Stratford Canning.

PALMERSTON.

No. 177.—Sir Stratford Canning to Visc^t. Palmerston.—(Rec. May 3.)
(Extract.)

Constantinople, April 17, 1851.

IT is still out of my power to announce the liberation of the Hungarian refugees detained at Kutahia. No further communication has been made to me from the Porte. General Aupick, who called here yesterday, informed me that he had exhausted all his means of persuasion to obtain the release of the refugees, and that he had written to apprise his Government of the resolution apparently taken to continue their detention till the approach of winter. The information which he has conveyed to his Government appears to be rather an inference from the language of the Turkish Ministers than the result of a distinct official communication. He attributed our want of success principally to a note given in by the Austrian Chargé d'Affaires, who, according to his account, had stated that the liberation of Kossuth under present circumstances would be taken at Vienna as a personal insult to the Emperor. Whether such a note has or has not been presented, there can be no doubt that all the energies of the Austrian Legation are exerted to defeat our representations in the cause of honour, justice, and humanity.

Viscount Palmerston, G.C.B.

STRATFORD CANNING.

No. 178.—*Sir Stratford Canning to Visc^t. Palmerston.*—(Rec. May 3.)
(Extract.) *Constantinople, April 17, 1851.*

THE American Chargé d'Affaires has informed me that he is instructed by the President of the United States to offer the Hungarian refugees a passage to America in one of the sailing-vessels belonging to their Mediterranean squadron. He has communicated this offer, as he informs me, to Aali Pasha, but he does not appear to know whether M. Kossuth and his companions would be inclined to avail themselves of it, if they were at liberty to do so. Accepted by them and understood to mean a *bonâ fide* voyage to The United States, this offer ought to diminish very considerably the objections to their immediate liberation.

Unfortunately, the difficulty of removing these objections, however misplaced they may be, is increased by an occasional want of discretion on the part of M. Kossuth and his more immediate adherents.

Viscount Palmerston, G.C.B.

STRATFORD CANNING.

No. 179.—*Sir Stratford Canning to Visc^t. Palmerston.*—(Rec. May 19.)
(Extract.) *Constantinople, April 25, 1851.*

ON referring to the Porte I have learnt that the Sultan has determined to release the whole of the refugees on the 1st day of September next, and that his decision to that effect would be forthwith communicated by means of an official note to the Austrian Chargé d'Affaires.

It would undoubtedly have been more satisfactory to my feelings, and more creditable to the Turkish Government, if an earlier period had been assigned for the liberation of M. Kossuth and his companions in misfortune; but I trust nevertheless that your Lordship and Her Majesty's Government will take into consideration the Sultan's delicate position with respect to the Court of Vienna, and find in the express engagement now contracted by His Majesty a sufficient compensation for the 4 summer months during which the detention of the refugees is still to be continued.

Viscount Palmerston, G.C.B.

STRATFORD CANNING.

No. 180.—*Sir Stratford Canning to Visc^t. Palmerston.*—(Rec. May 19.)
(Extract.) *Constantinople, April 30, 1851.*

THE Porte's official note in answer to that presented in February by the Austrian Chargé d'Affaires, requiring a further indefinite detention of the most distinguished of the Hungarian refugees at Kutahia, was at length sent in to M. de Klezl a few days ago.

Knowing the humane interest which the people and Government of the United Kingdom never cease to take in the fate of these

unfortunate exiles, and feeling how deeply the Sultan's honour and the prospects of his empire are connected with the Porte's conduct towards them, I cannot but anticipate your Lordship's disappointment on learning that they are still to be detained to the 1st of September, out of mere deference to the Cabinet of Vienna. The just dissatisfaction occasioned by this unnecessary act of rigour must, I fear, be aggravated by a sense of the little effect which my repeated and urgent representations appear to have produced on the Turkish Government, notwithstanding their knowledge of your Lordship's sentiments, the co-operation of the French Minister, and the seasonable offer made to them by the American Chargé d'Affaires. It is matter of lasting regret that the circumstances of the case did not authorize me to demand as a right that measure of justice and humanity which I solicited vainly on grounds even stronger, in a moral and political point of view than those of right. My only consolations are that the 4 remaining months of the term of detention belong to a season which mitigates the privations of Kutahia, and that the Porte has now expressly and formally pledged itself to the liberation of all the refugees on a fixed day, irrespective of intervening contingencies or the consent of any other party; that day at the very latest being the 1st of September next (N.S.).

Viscount Palmerston, G.C.B.

STRATFORD CANNING.

No. 181.—Viscount Palmerston to Sir Stratford Canning.

SIR,

Foreign Office, May 24, 1851.

I HAVE to state to your Excellency that if the engagement of the Porte for the release of the remainder of the Hungarians on the 1st of September next, reported in your despatch of the 25th ultimo, shall be faithfully kept, although it falls short of what is due to the dignity and independence of the Sultan, and does not answer to the just expectations of the British Government and nation, yet nevertheless it may be accepted as a compromise.

It seems that the Government of The United States has offered to the Sultan an American ship of war to convey these exiles to The United States, but it is understood that they are unwilling to go to America. But if the execution of the Sultan's announced intention of setting these exiles free would be rendered more easy by the offer of a British steamer to convey the Hungarians from their place of embarkation in Turkey to Malta, there to meet the regular packet by which they would go on elsewhere, your Excellency is authorized to make that offer to the Porte.

I am, &c.

H.E. Sir Stratford Canning.

PALMERSTON.

No. 182.—*Viscount Palmerston to Sir Stratford Canning.*

SIR,

Foreign Office, May 27, 1851.

I INCLOSE for your Excellency's information a copy of a resolution passed by the Lord Mayor, Aldermen and Commons of the city of London, in Common Council assembled, respecting the continued detention of Kossuth and his companions at Kutahia; and I have to instruct you to communicate this resolution to the Turkish Government as an evidence of the public feeling of the British nation on this matter.

I add a copy of the answer which I have returned to the communication of this resolution made to me on behalf of the Common Council.

I am, &c.

H.E. Sir Stratford Canning.

PALMERSTON.

(*Inclosure 1.*)—*The Court of Common Council to Visc^t. Palmerston.*

MY LORD,

Guildhall, May 23, 1851.

I HAVE the honour, by direction of the Common Council of the city of London, to transmit to your Lordship the inclosed copy of a resolution carried yesterday unanimously by the Right Honourable the Lord Mayor, Aldermen, and Commons, in Common Council assembled.

I have, &c.

HENRY ALWORTH MEREWETHER.

Viscount Palmerston, G.C.B.

(*Inclosure 2.*)—*Resolution of the Court of Common Council.*

MUSGROVE, Mayor.

A Common Council holden in the Chamber of the Guildhall of the City of London, on Thursday, the 22nd day of May, 1851.

Resolved unanimously,

THAT this Court feels deep sympathy with Kossuth and his companions detained prisoners in the Fortress of Kutahia, and earnestly hopes that Lord Palmerston may deem it consistent with his duty to interpose his friendly offices with the Government of the Sublime Porte to promote the liberation of the illustrious captives.

H. A. MEREWETHER.

(*Inclosure 3.*)—*Mr. Addington to Mr. Serjeant Merewether.*

SIR,

Foreign Office, May 27, 1851.

I AM directed by Viscount Palmerston to acknowledge the receipt of your letter of the 23rd instant, inclosing a copy of a Resolution passed on the previous day, by the Right Honourable the Lord Mayor, Aldermen, and Commons, in Common Council assembled, expressing their deep sympathy with Kossuth and his companions detained prisoners in the fortress of Kutahia, and their earnest hope

that Lord Palmerston may deem it consistent with his duty to interpose his friendly offices with the Government of the Sublime Porte to promote the liberation of the illustrious captives.

Viscount Palmerston directs me to request that you will acquaint the Lord Mayor, Aldermen, and Commons, that Her Majesty's Government have been using and are continuing to use their good offices with the Turkish Government to obtain the release of these Hungarians from their present captivity in Turkey; and Her Majesty's Government trust that their endeavours may before long lead to a favourable result.

I am, &c.

Mr. Serjeant Merewether.

H. U. ADDINGTON.

No. 183.—Sir Stratford Canning to Visc^t. Palmerston.—(Rec. June 2.)

MY LORD,

Constantinople, May 17, 1851.

SUCH of the refugees at Kutahia as the Austrian Government has allowed to be released, and as were willing to avail themselves of the permission, are now on the way from their place of detention to the Dardanelles, where they will be transferred from the Turkish Government steamer, lately sent for them, to an English commercial vessel of the same kind. A certain number of Hungarians who separated themselves from the Polish detachment which embarked for the same destination some time ago, now take their passage with the refugees from Kutahia. A few Italians are, I believe, added to the number, which in its total, amounts to upwards of 100.

These unfortunate exiles are provided by the Turkish Government with a sufficiency for defraying the expenses of their voyage to a British port; and the first intention was to embark a number of Italian emigrants in the same steam-vessel with them.

Informed of these plans, I called upon the Porte either to send the emigrants direct to the United States of America, where they were sure to be well received, and where they would arrive with some part of their allowance in hand, or to grant them an additional allowance, sufficient for pursuing their voyage thither from England. I also objected to the shipment of any portion of them for England by compulsory means.

My efforts on the latter point were completely successful; and those refugees who had been detained by order of the police were dismissed on an understanding that they would gradually leave the country as occasions offered. All that I could obtain on the former point was a very slight addition to the pecuniary allowance already assigned to them. Fuad Effendi pleaded the present state of the Turkish Treasury and the great expense which had been already incurred on behalf of the refugees.

Under these circumstances I could only abstain from taking any part in the intended measure of embarkation. I have no authority

to close the shores of England against any individuals so strongly recommended to compassion by their condition.

I have, &c.

Viscount Palmerston, G.C.B.

STRATFORD CANNING.

No. 184.—*Sir Stratford Canning to Viscount Palmerston.*—(Rec. June 9.)

MY LORD,

Constantinople, May 24, 1851.

I HAD scarcely written my last despatch to your Lordship on the subject of the refugees, when I received information from Count Koscielski, who is allowed by the Porte to act in behalf of the Polish part of them, to the effect that the Poles who had arrived from Kutahia at a small port in the Gulf of Mondania, called Ghemlik, had refused to embark in the steam-vessel prepared for them by the Turkish Government. It appeared from his statement that they complained of having been deceived by the Turkish Commissioner at Kutahia, and that they were unwilling to embark without having some clearer notice of their place of destination and probable reception there. They had endeavoured to obtain explanation on these points from Aali Pasha, who is still at the Baths of Brussa.

His Excellency's answer having represented me as being a party to the arrangement under which they were to proceed, in the first instance at least, to England, I thought it necessary to have a full explanation on the subject with Fuad Effendi, and I availed myself of the opportunity to recommend afresh the interests of these unfortunate exiles to the favourable consideration of the Porte.

The manner in which I carried out these purposes, and the result attending my representations, may be best conveyed to your Lordship's knowledge by a communication of my instructions to the interpreter employed on the occasion, and of his reports in answer to them. These papers are inclosed herewith for your Lordship's information; and I have only to add for the present, that Count Koscielski has communicated as I am informed by him, the Porte's definitive instructions to such of his countrymen as were waiting to know them at Ghemlik.

Although I have not felt myself at liberty to take a more decided part with respect to their proposed embarkation for England, I hope that your Lordship, in the event of their arriving there, will kindly obtain for them such countenance and assistance from Her Majesty's Government as their unmerited misfortunes recommend, and their truly disastrous situation appears to require.

I have, &c.

Viscount Palmerston, G.C.B.

STRATFORD CANNING.

(Inclosure 1.)—*Sir Stratford Canning to M. S. Pisani.*

SIR,

Péra, May 20, 1851.

It is become necessary for me to have a clear explanation with Fuad Effendi on the subject of the refugees, whether Polish, Hungarian, or Italian, who are now leaving this country for England or other foreign countries in virtue of the Porte's arrangements.

I am informed that of those individuals, in number about 50, who have recently left Kutahia with the consent of the Austrian Government, about 20, principally or entirely Poles, have refused to embark at Ghemlik, their late companions in misfortune having availed themselves of the steam-vessel sent thither by the Porte for their conveyance to the Dardanelles. It appears that the recusants complain of having been deceived by the Porte's Commissioner at Kutahia, and on that account justify their refusal to embark without greater certainty as to their place of destination and means of subsistence. It further appears that ineffectual efforts have been made to regain their confidence, by stating that I am a party to the arrangement made for their conveyance to England, and that I have vouched for their hospitable reception there.

Now the facts of the case, in so far as I am concerned, are these. Early in this month, it was made known to me, by a message from Aali Pasha, that about 50 Hungarians desirous of going away were to be sent to meet the refugees expected from Kutahia at Ghemlik, and that the 2 parties united were to be subsequently conveyed in an English merchant-steamer to some port in England whence they might go, some to France and some elsewhere. It was added that the Porte would defray the expenses of the voyage and nothing further.

In reply to this message I expressed neither assent nor objection, in so far as the embarkation was concerned. I stated, however, that I was not prepared to sanction the measure by any delivery of passports; and I recommended an increase of the proposed allowance for the conveyance of the refugees, so as to enable them to go, if necessary, to the United States of America, where they would be sure to meet with a welcome, and more facilities in gaining their livelihood.

It came to my knowledge at a later period, that the police had caused a number of refugees, principally Italians, to be arrested, with the intention of compelling them to embark with the others for England. I lost no time in remonstrating earnestly against this proceeding, and I sent word to Fuad Effendi that if the Porte would not relinquish it, I should deem it my duty to oppose its execution by all the means in my power.

The result of my remonstrance, as communicated to me through the regular channel, was that the Porte desisted from the prosecution

of its compulsory plan, that the persons already in arrest were liberated, and that a small additional sum of 100 piastres each was assigned to the refugees from Kutahia and their voluntary companions in the approaching voyage.

Such is the correct account of what was stated to me, and of the part which I took in these transactions.

I could not with honour or propriety act differently. The shores of England, generally speaking, are open to all foreigners. Those who land there to remain are expected to have the means of living honestly, and to conform to the existing laws and local regulations. I have no instructions calculated to interfere with this general view of the subject, none which authorize me to give assurance to the refugees of assistance, or even of hospitable reception in England.

Looking to the Porte, it is evident that on the one side she has the right of dismissing the refugees at pleasure from her territory, and that on the other hand she has incurred the obligation of providing a passage and subsistence for such of them as were originally detained here by her orders until they can reach another country prepared to receive them hospitably.

Circumstances have authorized me to recommend in earnest language a generous performance of this duty, and I have done so repeatedly. The attempt to use compulsion with respect to embarking refugees for England in English vessels gave me a stronger right, and I used it with success.

What remains for me to do regards more particularly the unfortunate Polish exiles who are waiting for the decision of their fate at Ghemlik. Having no assurances to give them, and no right to dictate to the Porte its course respecting them, I can only recommend their case to a liberal consideration, and promise, should the plan of embarking them for England be persisted in, to write on their behalf to Her Majesty's Government, without presuming to answer for the success of my representations. I shall not however hesitate to declare the painful impressions made upon my mind by the conduct of the Turkish Agent at Kutahia, and of the Porte's own conduct in allowing the emissaries of Austria to exercise any kind of immediate control over the refugees detained there.

You will wait, Sir, without delay, on Fuad Effendi; you will make his Excellency fully acquainted with the contents of this instruction; and you will refer him to Count Koscielski for the details of the proceedings to which I have referred. Count Koscielski, as you know, has long acted by mutual acquiescence between the Turkish authorities and the Polish refugees on behalf of the latter, and it is from him that I have received information of the occurrences at Kutahia and Ghemlik.

Fuad Effendi will no doubt inform you of anything which in his

view may appear to contradict my statements or impressions as recorded above, and I hope he will put you in possession of the Porte's intentions with respect to the refugees at Ghemlik, after taking into friendly and serious consideration the powerful motives which suggest themselves for treating them not only with continued forbearance, but with kindness and indulgence, whether they be allowed to remain in this country or be embarked for some foreign place of destination.

I am, &c.

M. S. Pisani.

STRATFORD CANNING.

(*Inclosure 2.*)—*M. S. Pisani to Sir Stratford Canning.*

SIR,

Péra, May 20, 1851.

I HAVE the honour to report that I read to Fuad Effendi, word for word, your Excellency's instructions of this date, and am requested to state in reply, that nothing could be more correct than your statement of what took place between your Excellency and the Porte concerning the refugees who were lately embarked or destined to be embarked for England, and those who refused to leave Ghemlik.

Fuad Effendi begs to say that the refugees have no right to complain of the Porte's Commissioner at Kutahia, who did not allow them to pass through Brussa on their way to Ghemlik, as he acted in virtue of instructions from his superiors. And this was done with a view to avoid further annoyance and embarrassment to the authorities there. The main objection of the refugees at Ghemlik to embark on board the Turkish steamer which was sent thither to convey them to the Dardanelles with those who were taken on board at Constantinople, is, he said, that it was inconsistent with their dignity to mix with people inferior to them in rank.

The Porte, proceeded Fuad Effendi, cannot with propriety allow these refugees to remain in the country without incurring responsibility and being accused of inconsistency by the Austrians, to whom she declared that she could no longer allow herself to be made the gaoler of refugees; he therefore informed me that the Porte insists upon their being dismissed from the Turkish territory. Although it was made to these as well as to the other refugees, whether Polish, Hungarian, or Italian, that if they did not avail themselves of the departure of the last English steamer for Southampton, they would lose the advantage of a free passage, yet he assures them that an exception will be made in favour of the refugees still at Ghemlik, on account of their position; and besides, they will continue to receive their allowances as heretofore, until another opportunity offers to convey them either to England, France, or anywhere else they should like to proceed to, and the expenses of

the voyage will also be provided for by the Turkish Government. But for the time they remain at Ghemlik they will, as a matter of course, be under the surveillance of the local police. His Excellency, moreover, acquainted me that some of these refugees intended applying to the Austrian Legation for amnesty. If this account be correct, the Porte will have no objection to allowing them to come to Constantinople on their way to their destination, provided their request be favourably received by the Austrians.

Fuad Effendi is to see Count Koscielski to-morrow morning and apprise him of the Porte's decision. The Count intends leaving for Ghemlik after his interview with that Minister; and a person from the Porte is also to accompany him thither and report the result of their proceedings.

I am, &c.

H.E. Sir Stratford Canning.

STEPHEN PISANI.

(*Inclosure 3.*)—*M. S. Pisani to Sir Stratford Canning.*

SIR,

Péra, May 21, 1851.

I HAVE the honour to report that Fuad Effendi told me, for your Excellency's information, that Count Koscielski called on him this morning, and they have settled that those of the refugees who are inclined to apply for amnesty will remain at Ghemlik and wait for the answer of the Austrian Chargé d'Affaires; and the rest are to go back to Kutahia, having expressed a wish to be allowed to return thither until some further arrangement can be made for their conveyance to some foreign country. Fuad Effendi assented to this, the more so as Ghemlik is an unwholesome place, and might be injurious to their health.

I have, &c.

H.E. Sir Stratford Canning.

ST. PISANI.

No. 185.—Viscount Palmerston to Sir Stratford Canning.

SIR,

Foreign Office, June 11, 1851.

I HAVE to acquaint your Excellency that Her Majesty's Government approve of your proceedings in regard to the Polish refugees who had arrived at Ghemlik from Kutahia, as reported in your despatch of the 24th of May.

I am, &c.

H.E. Sir Stratford Canning.

PALMERSTON.

No. 186.—Viscount Palmerston to Sir Stratford Canning.

SIR,

Foreign Office, June 12, 1851.

I TRANSMIT to your Excellency herewith a copy of a memorial from the Mayor, Aldermen, and Burgesses of Leeds, praying that Her Majesty's Government will promptly and energetically use their influence with the Government of the Sublime Porte to procure the

immediate liberation of Kossuth and his companions; and I have to instruct your Excellency to communicate this memorial as usual to the Turkish Government.

Your Excellency will at the same time say, that this and similar memorials of which I have sent you copies, prove that it is not on light grounds that I have instructed you to state to the Turkish Government that the unjust detention of these Hungarians in Turkey is tending rapidly to destroy in the minds of the British nation those feelings of sympathy for the Sultan which enabled Her Majesty's Government to afford to His Highness in the course of last year such useful and effectual support.

The noble and generous support which the British nation gave to His Highness' Government when a British squadron was sent last year to assist the Sultan in asserting his independence in despite of the threats of the Austrian and Russian Ministers at Constantinople, was founded on the belief that the Sultan so assisted would act in regard to the matters in question with perfect independence, and that he would be swayed by no considerations except a due regard for his own dignity, a proper observance of the duties of hospitality, and a faithful attention to those promises of protection which were made by the Sultan's officer to the Hungarians at the time when those refugees entered the Turkish territory. But the long detention to which these men have been subjected has grievously disappointed the just expectations of the British nation; and the Turkish Government must not be surprised if the altered feelings of the British nation should render Her Majesty's Government unable on any future occasion of similar need to answer in a manner satisfactory to the Porte, any similar appeal which the Porte might have to make for the moral and material assistance of Great Britain.

I am, &c.

H.E. Sir Stratford Canning.

PALMERSTON.

(*Inclosure 1.*)—*The Leeds Town Council to Viscount Palmerston.*

MY LORD,

Town Clerk's Office, Leeds, May 30, 1851.

IN pursuance of a resolution passed by the Council of this borough, at a meeting held yesterday, I have the honour to transmit to your Lordship a memorial from the Mayor, Aldermen, and Burgesses of this borough, praying that your Lordship will be pleased promptly and energetically to use your influence with the Government of the Sublime Porte, to procure the immediate liberation of the illustrious Kossuth and his companions, at present confined in the fortress of Kutahia.

I have, &c.

Viscount Palmerston, G.C.B.

JAS. WARDELL.

(*Inclosure 2.*)—*Memorial from the Leeds Town Council.*

To the Right Honourable Lord Viscount Palmerston, Her Majesty's Secretary of State for the Foreign Department.

The Mayor, Aldermen, and Burgesses of the Borough of Leeds, in the county of York, in Council assembled, on Thursday, the 29th day of May, 1851.

Humbly pray,

THAT your Lordship will be pleased promptly and energetically to use your influence with the Government of the Sublime Porte, to procure the immediate liberation of the illustrious Kossuth and his companions, at present confined in the fortress of Kutahia.

GEORGE GOODMAN, *Mayor.*

No. 187.—Sir Stratford Canning to Visc^t. Palmerston.—(Rec. June 19.)

MY LORD,

Therapia, June 5, 1851.

I INCLOSE herewith a paper which states the Porte's decision with respect to the Polish refugees at Ghemlik. The result of its communication to them is expressed in the accompanying copy of their address to the Sultan. The perusal of such unbounded expressions of gratitude and satisfaction makes it idle for me to continue my exertions on their behalf.

On the other hand, M. Kossuth and his remaining companions at Kutahia are highly dissatisfied with the treatment which they have latterly experienced. They are entitled, I think, to complain of the manner in which Austrian agents were permitted by the Porte to inspect their situation and to determine the fate of those who were to go or to stay.

I have not concealed my sentiments on this subject from the Grand Vizier. But the expressions of unqualified reprobation which I employed in declaring them afford but a poor satisfaction for the unnecessary vexations which have been imposed on the unfortunate exiles.

I have, &c.

Viscount Palmerston, G.C.B.

STRATFORD CANNING.

(*Inclosure 1.*)—*The Turkish Commissioner to the Polish Refugees at Ghemlik.*

MESSIEURS,

JE suis chargé par le Gouvernement Impérial de vous faire connaître que dans 20 jours d'ici il sera mis à votre disposition un bateau à vapeur, qui vous transportera aux Dardanelles, où vous devez vous embarquer sur un bateau à vapeur Anglais pour vous rendre en Angleterre. Vos frais de voyage jusque là seront payés par le Gouvernement Impérial. Sa Majesté le Sultan vous fera

gratification de certaines sommes pour vos menu dépenses. Je vous déclare en outre qu'il vous sera délivré des passeports Turcs pour ce pays.

Agréez, &c.

(Inclosure 2.)—*The Polish Refugees at Ghemlik to the Sultan.*

SIRE,

Ghemlik, 29 Mai, 1851.

Nous ne pourrons quitter le sol hospitalier de la Sublime Porte avant de poser à vos pieds l'expression de toute notre gratitude et de toute notre reconnaissance. Votre Majesté nous a accordé asile et protection; votre Majesté seule s'est opposée aux exigences de nos ennemis, qui demandaient notre extradition. C'est enfin à votre Majesté seule que nous sommes redevables pour notre liberté; car c'est sa volonté qui a fait cesser notre internement et a assuré la liberté dans 4 mois à nos compagnons d'infortune qui sont réstés à Kutahia. Agréez donc, Sire, notre plus profonde reconnaissance, agréez nos regrets de ne pouvoir prouver par les faits notre grand désir de vous servir. Mais les Polonais se souviennent du bien dont ils ont joui dans l'empire de votre Majesté.

GEORGE AULHARGA, *General.*

ZABORSKI, *Lieutenant.*

YZCKOWSKI, *Colonel.*

HOSZEK LEONARD, *Capitaine*

LE COLONEL JULES PRZYIEMSKI.

SZEEZEPAUSKI, *Lieut.*

W. TCHORNUKI, *Colonel.*

BILAMSKI.

GRACHAWEMSKI, *Major.*

BRIGANTI.

S. KORZELIMSKI, *Major.*

BOBORYSKI.

BLESSMISKI, *Major.*

ZAWADISKI.

MATCZYNSKI, *Major.*

CHOJECKI STANISLAUS.

NEVIADOMSKI, *Major.*

POMOGEWSKI, *Lieut.*

No. 188.—*Viscount Palmerston to Sir Stratford Canning.*

SIR,

Foreign Office, June 24, 1851.

I HAVE to acquaint your Excellency that Her Majesty's Government approve the course which you have pursued, as reported in your despatch of the 17th of May, in regard to the various refugees who either voluntarily or involuntarily were about to quit the Turkish dominions.

With regard, however, to the statement made by Fuad Effendi, that the present state of the Turkish Treasury and the great expense which the Porte had already incurred on behalf of the refugees prevented the Turkish Government from providing more liberally than it has done for their wants during their voyage and at their arrival at the place of their destination, I must observe that the Porte would have avoided a large portion of the expenses which it has incurred on account of these various refugees, if it had taken

the advice of Her Majesty's Government in the outset, and had sent the refugees at once out of the Turkish dominions.

I am, &c.

H.E. Sir Stratford Canning.

PALMERSTON.

No. 189.—*Sir Stratford Canning to Visc'. Palmerston.*—(Rec. July 7.)

MY LORD,

Therapia, June 19, 1851.

THE Porte has made arrangements with the agent of the Oriental Company for embarking about 150 Polish and Hungarian refugees in the *Euxine* steam-vessel, which starts this afternoon for England.

On this occasion, as on former ones of a similar description, I have not felt myself at liberty either to oppose or to take any part in the Porte's proceedings. On the one side, I am unwilling to hazard the imposition of an unexpected burthen on any place where the unfortunate exiles may be landed; and on the other hand, I have neither authority to interdict their conveyance to England, nor inclination to obstruct the only path of relief which appears to remain unclosed to them.

I have at the same time exerted myself to obtain from the Porte a sufficient allowance for each of them to defray the expenses of a longer voyage, or to afford them some temporary means of subsistence after landing. I have endeavoured in particular to persuade Aali Pasha to embark them in a screw or sailing-vessel, and to apply any saving effected in the passage-money to their subsequent maintenance ashore. It was nevertheless determined that the whole batch should be shipped on board the *Euxine*; and I fear that the amount of their allowance will be expended during the voyage, with the exception of 2 or 3 pounds for each individual.

What limited means of relief are at my disposal have been constantly applied to the diminution of immediate distress among the most needy; but their numbers and utter destitution present an almost insurmountable difficulty in the exercise of charity not authorized by official warrant. I have, &c.

Viscount Palmerston, G.C.B.

STRATFORD CANNING.

No. 190.—*Sir Stratford Canning to Visc'. Palmerston.*—(Rec. July 7.)

MY LORD,

Therapia, June 19, 1851.

I AM happy to inform your Lordship that in reply to the Austrian Chargé d'Affaires, who lately expressed to Aali Pasha the high dissatisfaction of his Government on learning the Porte's intention of releasing, on the 1st of September next, M. Kossuth and the other refugees remaining at Kutahia, his Excellency declared that the Sultan's Government would infallibly redeem their pledge at the expiration of the appointed term, whether the Cabinet of Vienna assented to the measure or not.

The Pasha has also informed me that no restriction will be placed upon the refugees as to the place of their destination, when they are at liberty to leave the Turkish dominions.

I shall be careful to bear in mind your Lordship's permission as to their embarkation for Malta, should the circumstances be such as to make it desirable for them to take advantage of that kindness.

I have communicated to the Grand Vizier and Aali Pasha the resolution addressed to your Lordship by the Common Council of the City of London on behalf of the refugees. Their knowledge of the interest taken by that important assembly in the fate of M. Kossuth and his companions in exile cannot but strengthen their resolution to keep faith with the unfortunate objects of their protection.

I have, &c.

Viscount Palmerston, G.C.B.

STRATFORD CANNING.

No. 191.—Sir Stratford Canning to Visct. Palmerston.—(Rec. July 9.)

MY LORD,

Therapia, June 24, 1851.

INCLOSED herewith for your Lordship's information, are 2 papers relating to the last batch of refugees embarked for England by means of an agreement between the Porte and the Oriental Steam Company's Agent. They went on board the Company's steamer *Euxine* on the 19th instant; and I have nothing to state in addition to the explanations afforded in my last despatch to your Lordship on this subject.

I have, &c.

Viscount Palmerston, G.C.B.

STRATFORD CANNING.

(Inclosure 1.)—Sir Stratford Canning to M. S. Pisani.

SIR,

Therapia, June 19, 1851.

I HAVE received your letter stating that arrangements have been made between the Porte and Mr. Hanson for the conveyance of the remaining Hungarian refugees to England in the Oriental Company's steam-ship *Euxine*, in consequence of their inability to remain longer here.

You will lose no time in waiting on Aali Pasha and reminding his Excellency that I am no party to their embarkation under circumstances so different from what I had suggested, and requesting once more that he will relieve me by increasing the allowance for their passage, so far as to afford them the means of continuing their voyage to America or some other place of destination after touching in an English port. An addition of 500 piastres to each individual would answer this purpose, and the whole amount of extra expense would not surpass the sum of a few hundred pounds—or the value of a Mushir's Nishan. I have already explained to Aali Pasha how unfair it is to take advantage of the boundless liberality of English

law with respect to foreigners arriving in England, and how annoying it must be for Her Majesty's Government to be placed in the situation of either rejecting the exiles altogether; of burthening the place of their arrival with the expense of maintaining them; or of taking upon themselves a charge for which they are not prepared, and in the creation of which they have had no hand.

Individually I have done whatever was in my power for the relief of these unfortunate exiles, and I hope still to assist, according to my limited means, a few of those who are in the greatest state of need; but even if it were in my power, I should fear to offend the Porte by offering to share an expense which strictly belongs to her, and which after all must be trifling in the eyes of an Imperial Government.

Sincerely yours,

M. S. Pisani.

STRATFORD CANNING.

(Inclosure 2.)—*M. S. Pisani to Sir Stratford Canning.*

Sir,

Péra, June 19, 1851.

IN reply to your Excellency's instruction of this day's date, referring to the arrangements which have been made between the Porte and Mr. Hanson, for the conveyance of the remaining Hungarian emigrants to England by the Peninsular steamer to-day, I have the honour to report that Aali Pasha, to whom I read the whole of that instruction, states that as the circumstances under which the embarkation of these refugees takes place are totally different from what your Excellency suggested, it is clearly understood that you are not, as a matter of course, engaged in any way to share the allowance for their passage.

But it must be borne in mind, continued Aali Pasha, that the 100 emigrants who leave this day for England on their way to the United States of America do not at all belong to the category of those who have been detained by the Porte; these are common soldiers, and most of them workmen, who stayed here of their own accord, and have no claim upon the Porte. What induced the Turkish Government to assist them in proceeding to their wished-for destination is this: they presented a memorial to the Porte entreating the Sultan to afford them the means of proceeding to England, where they had made up their minds to go. Their petition was submitted to His Majesty, who has been pleased to order that a free passage should be granted them, as also an allowance of 150 piastres to each. Consequently, Aali Pasha says, after this act of munificence and benevolence of the Sultan, and under the present financial embarrassments, he cannot take upon himself to return to the subject, and apply for a larger allowance. He assures me, however, that most of these refugees have got between 500 and 600

piastres of their own, which they have gained by their work during their stay here.

I have, &c.

H.E. Sir Stratford Canning.

ST. PISANI.

No. 192.—Mr. Magenis to Viscount Palmerston.—(Rec. August 4.)
(Extract.) *Vienna, July 29, 1851.*

THE departure of Count Rechberg, the recently appointed Internuncio at Constantinople, has been postponed; and I have reason to believe that he will not set out for his post before an answer has been received to an instruction which has been sent to the Austrian Chargé d’Affaires at Constantinople on the subject of the release on the 1st of September of the Hungarian refugees at Kutahia.

I have avoided making any allusion to the Hungarian refugees in my conversations with Prince Schwarzenberg; the mention of that subject is sure to irritate his Highness, and its solution can be more successfully pressed at Constantinople than here.

I have, however, alluded to it in conversation with Count Rechberg, assuming with him that the liberation of the refugees on the 1st of September was irrevocably decided on, and congratulating him that he would be spared its disagreeable discussion.

Count Rechberg never would admit that it was decided on, and said that his Government would insist on the Porte’s fulfilling its engagements, and not releasing the Hungarian refugees “*sans en convenir*” with his Government.

It is unnecessary that I should repeat to your Lordship my reasons to prove that no such engagement existed on the part of the Porte; the Count persisted still that it did exist. He said, however, that the time was not distant when these refugees might be liberated without danger to Austria.

Viscount Palmerston, G.C.B.

ARTHUR C. MAGENIS.

No. 193.—Sir Stratford Canning to Visc^t. Palmerston.—(Rec. Aug. 9.)
(Extract.) *Therapia, July 24, 1851.*

THE Austrian Government has addressed a fresh remonstrance to the Porte against its declared intention to liberate Kossuth on the 1st of September. The communication was made to Aali Pasha by M. de Klezl, who read to his Excellency a despatch which he had recently received upon the subject from Prince Schwarzenberg.

My own conviction is, that nothing short of some extraordinary and unexpected incident will shake the Sultan’s resolution to abide by his promise, and this impression is confirmed by the assurances of the Grand Vizier, as well to me as to the French Envoy.

I am happy to add that M. de Lavalette appears to be sincerely anxious to secure the liberation of all the Hungarian refugees from

Kutahia at the appointed period, and I have reason to believe that he has held language on that subject to the Turkish Ministers essentially the same as mine.

In case of a necessity which is hardly to be anticipated, I should reckon with confidence on his Excellency's cordial co-operation.

Viscount Palmerston, G.C.B.

STRATFORD CANNING.

No. 194.—Viscount Palmerston to Sir Stratford Canning.

SIR,

Foreign Office, August 14, 1851.

I HAVE received your Excellency's despatch of the 24th of July, respecting the fresh remonstrance which the Austrian Government has addressed to the Porte against the proposed liberation of the refugees at Kutahia, on the 1st of September next; and I have to instruct your Excellency to state to the Porte that Her Majesty's Government hold the Turkish Government bound by the declaration which it has made to Her Majesty's Government, and which Her Majesty's Government have stated to Parliament, that these Hungarian refugees should be released on the 1st of September.

I am, &c.

H.E. Sir Stratford Canning.

PALMERSTON.

No. 195.—Sir Stratford Canning to Visc^t. Palmerston.—(Rec. Aug. 18.)

MY LORD,

Therapia, August 5, 1851.

THE Austrian Legation is pressing hard upon the Porte to prevent the liberation of Kossuth and his companions on the 1st of next month. M. de Klezl has given in a protest for that purpose. I continue to rely with perfect confidence on the good faith of the Sultan, and I think it best to proceed frankly on that principle, though I have endeavoured to omit nothing which may keep the Porte steady to its promise. I have, &c.

Viscount Palmerston, G.C.B.

STRATFORD CANNING.

No. 196.—Sir Stratford Canning to Visc^t. Palmerston.—(Rec. Sept. 6.)

(Extract.)

Therapia, August 20, 1851.

I HAVE the greatest possible satisfaction in stating that the Porte holds good to its declared intention of liberating the refugees at Kutahia on the 1st of September next. The Austrian Chargé d'Affaires, acting under the instructions of his Court, has exerted himself to put its steadiness to the test.

The Porte has replied, confirming its previous resolution, and M. de Klezl has rejoined to no purpose.

Russia has taken no part in support of the Austrian Cabinet on this occasion.

In obedience to your Lordship's instructions, I have offered to place one of Her Majesty's steam-vessels at the disposal of the Porte

for the conveyance to Malta of such of the refugees as may choose to profit by the offer. The Porte having had a similar proposal from the United States of America, has written to ascertain the wishes of the exiles themselves, and I am waiting to learn their answer before I write to Sir William Parker on the subject.

Viscount Palmerston, G.C.B.

STRATFORD CANNING.

No. 197.—Viscount Palmerston to Sir Stratford Canning.

SIR,

Foreign Office, September 13, 1851.

I HAVE to instruct your Excellency to express to the Porte the satisfaction of Her Majesty's Government at the steadiness with which the Porte has adhered to its announced determination to release the refugees at Kutahia on the 1st of September.

I am, &c.

H.E. Sir Stratford Canning.

PALMERSTON.

No. 198.—Sir Stratford Canning to Visct. Palmerston.—(Rec. Sep. 18.)

MY LORD,

Therapia, September 5, 1851.

THE Porte has redeemed its pledge with respect to the refugees at Kutahia. They left the place of their detention on the 1st instant. Count Casimir Batthyani is at Brussa. The Countess is here. Kossuth and his companions are on their way to the port of embarkation. At the Dardanelles they are to be received on board the American steam-frigate *Mississippi*, which arrived here a few days ago with Mr. Marsh, the United States' Minister, and which is to go in the first instance to the Gulf of Spezzia, where it seems that the American squadron has either a *dépôt* or a *rendezvous*.

The steamer which I placed at the disposal of the Porte for their conveyance to Malta has not been accepted. Count Batthyani, General Perczel, and 2 other officers, have applied for a passage under Her Majesty's flag, the former to Malta, the others to England; but as the number of applicants is small, and the Admiral could ill spare a steamer from his squadron at this moment, I propose to offer those who would be content to go to Malta such accommodation as I can dispose of without detaching one of Her Majesty's steam-vessels on purpose.

It is unnecessary for me to assure your Lordship on this close of a most troublesome business, that I have endeavoured throughout to manifest as much attention and to afford as much relief to the unfortunate exiles from Hungary and Poland as the difficulties of the case and my very limited means would allow.

I have, &c.

Viscount Palmerston, G.C.B.

STRATFORD CANNING.

No. 199.—*Sir Stratford Canning to Visc^t. Palmerston.*—(Rec. Sep. 18.)
(Extract.) *Therapia, September 7, 1851.*

FURTHER communications with Aali Pasha on the subject of the Hungarian refugees who were lately at Kutahia, establish that only one officer and his wife out of the whole party are in a condition to avail themselves of my offer of a free passage under the British flag to Malta. General Perczel and his lady, who is expecting to be confined, are the persons to whom I allude. They are now at Brussa. The others will not be allowed to separate from each other while they remain in this country; and those who embark in the *Mississippi* with the hope of getting to England, will, as I am informed, have an opportunity of landing at Gibraltar. The Americans wished to receive Kossuth and his companions on board at Constantinople, but the Government has insisted on their transfer from one flag to the other being effected at the Dardanelles.

Viscount Palmerston, G.C.B.

STRATFORD CANNING.

No. 200.—*Viscount Palmerston to Sir Stratford Canning.*

SIR,

Foreign Office, September 24, 1851.

I HAVE received your Excellency's despatch of the 5th instant, in which you report that the Hungarian refugees detained at Kutahia were liberated on the 1st of this month; and I have to instruct your Excellency to express to the Porte the sincere gratification of Her Majesty's Government at the termination of a state of things which was liable to such serious objections, and the continuance of which would necessarily have exposed the Porte to increasing embarrassments.

I have also to signify to your Excellency the approval of Her Majesty's Government of your successful exertions in assisting to bring about this result.

I am, &c.

H.E. Sir Stratford Canning.

PALMERSTON.

No. 201.—*Sir Stratford Canning to Visc^t. Palmerston.*—(Rec. Sep. 29.)

MY LORD,

Therapia, September 10, 1851.

I RECEIVED last night a message from Aali Pasha to inform me that Kossuth and his companions had embarked for the Dardanelles, where the American steam-frigate *Mississippi* was in waiting for them. The only exceptions are Count Batthyani and General Perczel, who are detained at Brussa, the former by his own illness, the latter by his wife's.

I have received the strongest expressions of gratitude from the principal exiles, and particularly from Kossuth.

I mention this circumstance here because the constant sympathy which I have shown to those unfortunate men on every proper occasion during their stay at Kutahia, originating as it did in feelings

of humanity alone, is in perfect accordance with your Lordship's instructions.

I have, &c.

Viscount Palmerston, G.C.B.

STRATFORD CANNING.

No. 202.—*Sir Stratford Canning to Visc^t. Palmerston.*—(Rec. Oct. 31.)

MY LORD,

Therapia, October 17, 1851.

I DIRECTED your Lordship's instruction respecting the satisfaction derived by Her Majesty's Government from the punctuality with which the Porte had executed its promise of liberating the Hungarian refugees at Kutahia, to be communicated *in extenso* to Aali Pasha. His Excellency replied, that the Turkish Government partook, and more than partook, of the satisfaction expressed by your Lordship on the part of Her Majesty's Government.

I have, &c.

Viscount Palmerston, G.C.B.

STRATFORD CANNING.

TRAITE de Commerce et de Navigation, entre la Belgique et la Sardaigne.—*Signé à Turin, le 24 Janvier, 1851.*

[Ratifications échangées à Turin, le 15 Mai, 1851.]

Au nom de la Très-Sainte Trinité :

SA Majesté le Roi des Belges, d'une part, et Sa Majesté le Roi de Sardaigne, d'autre part, voulant assurer de nouvelles garanties et de nouvelles facilités au commerce et à la navigation entre leurs Etats, et fortifier de plus en plus les liens d'amitié et de bonne intelligence si heureusement établis entre les 2 nations, ont résolu de conclure un Traité propre à remplir ce but, et ont nommé, à cet effet, pour leurs Plénipotentiaires, savoir :

Sa Majesté le Roi des Belges, le Sieur Henri de Brouckere, Officier de son Ordre, &c., Ministre d'Etat, son Envoyé Extraordinaire et Ministre Plénipotentiaire près de Sa Majesté le Roi de Sardaigne ; et

Sa Majesté le Roi de Sardaigne, le Sieur Comte Camille de Cavour, Membre de la Chambre des Députés, son Ministre de la Marine, de l'Agriculture et du Commerce.

Lesquels, après s'être communiqué leurs pleins pouvoirs, et les avoir trouvés en bonne et due forme, sont convenus des Articles suivants :

ART. I. Il y aura entre la Belgique et la Sardaigne liberté réciproque de commerce. Les Belges en Sardaigne, et les Sardes en Belgique, pourront, réciproquement et en toute sécurité, entrer avec

leurs navires et cargaisons, comme les nationaux eux-mêmes, dans tous les lieux, ports et rivières, qui sont ou seront à l'avenir ouverts au commerce étranger, sauf les précautions de police employées à l'égard des citoyens des nations les plus favorisées.

II. Les citoyens de chacune des 2 Parties Contractantes pourront librement, sur les territoires respectifs, voyager ou séjourner, commercer tant en gros qu'en détail, louer et occuper les maisons, magasins, et boutiques qui leur seront nécessaires, effectuer des transports de marchandises et d'argent, et recevoir des consignations tant de l'intérieur que des pays étrangers, sans que, pour toutes ou quelque-unes de ces opérations, lesdits citoyens soient assujettis à d'autres obligations, charges ou restrictions que celles qui pèsent sur les nationaux, sauf les précautions de police qui sont employées à l'égard des nations les plus favorisées.

Ils seront, les uns et les autres, sur un pied de parfaite égalité, libres dans tous leurs achats comme dans toutes leurs ventes, d'établir et de fixer le prix des effets, marchandises et objets quelconques, tant importés que nationaux, qu'ils les vendent à l'intérieur ou qu'ils les destinent à l'exportation, sauf à se conformer expressément aux lois et règlements du pays.

Ils jouiront de la même liberté pour faire leurs affaires eux-mêmes, présenter en douane leurs propres déclarations, ou se faire suppléer par qui bon leur semblera, fondés de pouvoirs, facteurs, agents, consignataires, ou interprètes, soit dans l'achat ou dans la vente de leurs biens, de leurs effets ou marchandises, soit dans le chargement, le déchargement ou l'expédition de leurs navires.

Ils auront également le droit de remplir toutes les fonctions qui leur seront confiées par leurs propres compatriotes, par des étrangers, ou par des nationaux en qualité de fondés de pouvoirs, facteurs, agents, consignataires ou interprètes.

Toutefois, dans les cas réglés par le Code de Commerce Belge et par le Code de Commerce Sarde, ils devront se conformer aux dispositions de ces Codes, dispositions auxquelles le présent Article n'apporte aucune dérogation.

Enfin ils ne payeront point, à raison de leur commerce ou de leur industrie dans les ports, villes ou lieux quelconques des 2 États, soit qu'ils s'y établissent, soit qu'ils y résident temporairement, des droits, taxes ou impôts sous quelque dénomination que ce soit, autres ou plus élevés que ceux qui se percevront sur les nationaux ; et les privilèges, immunités et autres faveurs quelconques, dont jouissent, en matière de commerce, les citoyens de l'un des 2 États, seront communs à ceux de l'autre.

III. Les Belges en Sardaigne et les Sardes en Belgique seront exempts de tout service personnel, soit dans les armées de terre ou de mer, soit dans les gardes ou milices nationales, et ne pourront

être assujettis, pour leurs propriétés mobilières ou immobilières, à d'autres charges, restrictions, taxes ou impôts, que ceux auxquels seraient soumis les nationaux eux-mêmes.

IV. Les citoyens de l'une et de l'autre Parties Contractantes jouiront, dans les 2 Etats, de la plus constante et complète protection pour leurs personnes et leurs propriétés.

Ils auront en conséquence un libre et facile accès auprès des tribunaux de justice pour la poursuite et la défense de leurs droits en toute instance et dans tous les degrés de juridiction établis par les lois. Ils seront libres d'employer dans toutes les circonstances les avocats, avoués ou agents de toute classe, qu'ils jugeraient à propos de faire agir en leur nom. Enfin ils jouiront, sous ce rapport, des mêmes droits et privilèges que ceux qui seront accordés aux citoyens de la nation la plus favorisée, et seront soumis aux mêmes conditions que celles qui sont imposées à ces derniers.

V. Seront considérés comme Belges en Sardaigne et comme Sardes en Belgique, les navires qui navigueront sous les pavillons respectifs et qui seront porteurs des papiers de bord et des documents exigés par les lois de chacun des 2 Etats pour la justification de la nationalité des bâtiments de commerce.

VI. Les navires Belges qui entreront sur lest ou chargés dans les Etats Sardes, ou qui en sortiront, et, réciproquement, les navires Sardes qui entreront sur lest ou chargés en Belgique, ou qui en sortiront, soit par mer, soit par rivières ou canaux, quel que soit le lieu de leur départ ou celui de leur destination, ne seront assujettis, tant à l'entrée qu'à la sortie et au passage, à des droits de tonnage, de port, de balisage, de pilotage, d'ancrage, de remorque, de fanal, d'écluse, de canaux, de quarantaine, de sauvetage, d'entrepôt, de patente, de navigation, de péage, enfin à des droits ou charges de quelque nature ou dénomination que ce soit, perçus ou établis au nom et au profit du Gouvernement, de fonctionnaires publics, de communes ou d'établissements quelconques; autres ou plus forts que ceux qui sont actuellement, ou pourront par la suite être imposés aux bâtiments nationaux, à l'entrée, pendant leur séjour dans les ports, à leur sortie ou dans le cours de leur navigation.

VII. Seront complètement affranchis des droits de tonnage et d'expédition :

1°. Les navires qui, rentrés sur lest de quelque lieu que ce soit, en repartiront sur lest ;

2°. Les navires qui, passant d'un port de l'un des 2 Etats dans un ou plusieurs ports du même Etat, soit pour y déposer tout ou partie de leur cargaison, soit pour y composer ou compléter leur chargement, justifieront avoir déjà acquitté ces droits ;

3°. Les navires qui, entrés avec chargement dans un port, soit

volontairement, soit en relâche forcée, en sortiront sans avoir fait opération de commerce.

Ne seront pas considérés, en cas de relâche forcée, comme opérations de commerce, le débarquement et le rechargement des marchandises pour la réparation du navire, le transbordement sur un autre navire en cas d'innavigabilité du premier, les dépenses nécessaires au ravitaillement de l'équipage, et la vente des marchandises avariées, lorsque l'administration des douanes en aura donné l'autorisation.

Les bateaux à vapeur Belges et Sardes faisant un service régulier de navigation entre la Belgique et les Etats Sardes seront exemptés, dans l'un et l'autre pays, du paiement des droits de tonnage, d'ancrage, de balisage, de feux et de fanaux.

VIII. En ce qui concerne le placement des navires, leur chargement et déchargement dans les ports, rades, havres et bassins, et généralement pour toutes les formalités et dispositions quelconques auxquelles peuvent être soumis les navires de commerce, leur équipage et leur chargement, il est convenu qu'il ne sera accordé aux navires nationaux aucun privilège, ni aucune faveur qui ne le soit également à ceux de l'autre Etat, la volonté des Hautes Parties Contractantes étant que, sous ce rapport aussi, leurs bâtiments soient Traités sur le pied d'une parfaite égalité.

IX. Les bâtiments de guerre de l'une des 2 Puissances pourront entrer, séjourner et se radoubler dans ceux des ports de l'autre Puissance dont l'accès est accordé à la nation la plus favorisée; ils y seront soumis aux mêmes règles et jouiront des mêmes avantages.

X. Les objets de toute nature provenant soit du sol, soit de l'industrie, soit des entrepôts ou ports francs de Belgique, importés en droiture de Belgique, par navires Belges, dans les ports des Etats Sardes, ne paieront d'autres ni de plus forts droits d'entrée que s'ils étaient importés en droiture sous pavillon Sarde.

Et, réciproquement, les objets de toute nature provenant soit du sol, soit de l'industrie, soit des entrepôts ou ports francs des Etats Sardes, importés en droiture des Etats Sardes en Belgique, sous pavillon Sarde, n'acquitteront d'autres ni de plus forts droits que s'ils étaient importés en droiture sous pavillon Belge.

Il est bien entendu :

1°. Que les marchandises devront avoir été réellement chargées dans les ports d'où elles auront été déclarées respectivement provenir ;

2°. Que la relâche forcée dans les ports intermédiaires pour cause de force majeure justifiée d'après le mode prescrit par la législation du pays vers lequel l'expédition a lieu, ne fait pas perdre le bénéfice de l'importation en droiture ;

XI. Les marchandises suivantes originaires des Etats Sardes et importées de ces Etats en Belgique de la manière indiquée à l'Article XIV du présent Traité, jouiront, à l'entrée en Belgique, de réductions de droits ainsi calculées :

a. Fromages, 7 fr. au lieu de 10 fr. 70 c. par 100 kilogrammes.

b. Anchois frais, salés, fumés, ou séchés, 4 fr. au lieu de 5 fr. 76 c. par 100 kilogrammes.

Sardines, fumées ou séchées, 4 fr. au lieu de 7 fr. 20 c. par 1,000 pièces.

c. Vermicelle et autres pâtes analogues, 3 fr. au lieu de 7 fr. par 100 kilogrammes.

d. Salaisons et compotes au vinaigre, réduction des 3 quarts du droit actuel.

Citrons, limons, oranges, 11 fr. 20 c. par 100 francs ; amandes, 11 fr. 20 c. par 100 kilogrammes ; noisettes, 3 fr. 20 c. par 100 kilogrammes ; châtaignes, 6 fr. 50 c. par 100 fr. ; fruits confits au sucre, droit inférieur d'un quart au droit général établi ou à établir.

e. Huile d'olives comestible, 7 fr. 50 c., au lieu de 13 fr. par hectolitre ; ne pouvant servir qu'aux fabriques, 60 c., au lieu de 1 fr. par hectolitre.

f. Vins en cercles, 50 c., au lieu de 2 fr. par hectolitre ; en bouteilles, 2 fr., au lieu de 12 fr. par 100 bouteilles.

En outre, réduction de 25 p.c. des droits d'accise maintenant existants.

g. Plantes vivantes, réduction de moitié du droit actuel.

h. Semences, autres que les graines oléagineuses et la graine de lin à semer, même réduction.

i. Sel brut, libre par la voie de mer.

j. Corail non ouvré, réduction de moitié du droit actuel.

k. Marbres : bruts, polis, sculptés, moulés ou sciés, même réduction.

l. Petites peaux non apprêtées, même réduction.

m. Céruse, 3 fr., au lieu de 4 fr. 20 c. par 100 kilogrammes.

n. Soie grège, écrue, 1 c., au lieu de 1 fr. par kilogrammes ; moulinée, 2 fr., au lieu de 4 fr. par 100 kilogrammes.

o. Velours de soie, 4 fr., au lieu de 5 fr., et de 10 fr. par kilogramme.

p. Gaze de soie, simple et unie, 4 fr., au lieu de 5 fr. par kilogramme ; festonnée, brodée, &c., 10 fr., au lieu de 20 fr. par 100 fr.

q. Avalonèdes et galons du Piémont, réduction de moitié du droit actuel.

XII. De leur côté, les marchandises suivantes, originaires de Belgique et importées dans les Etats Sardes de la manière indiquée à l'Article XIV du présent Traité, jouiront à l'entrée dans ces Etats des réductions de droits ci-après indiquées :

a. Zinc, en plaques, en barres ou en saumons (toutenagues); zinc laminé; réduction de moitié des droits actuels.

b. Cuivre, en pains, en rosettes, en fonds de chaudières, en plaques; cuivre ouvré et non ferré, même réduction.

c. Fer; fonte ouvrée, simple, coussinets pour chemins de fer, 8 fr. au lieu de 15 fr. les 100 kilogrammes; fonte garnie d'autres métaux, 12 fr. au lieu de 25 fr.; fer de première fabrication, rails, 10 fr. au lieu de 16 fr.; de seconde fabrication, 15 fr. au lieu de 30 fr.; garni d'autres métaux, 20 fr. au lieu de 40 fr.; ancres, canons, 10 fr. au lieu de 20 fr.; instruments propres aux arts mécaniques, 12 fr. 50 au lieu de 25 fr.; clous de toute espèce, chevilles, &c., 12 fr. 50 au lieu de 25 fr. et de 70 fr.; machines et mécaniques, 5 fr. au lieu de 10 fr.; faux, faucilles ou serpettes, fers à repasser, &c., 12 fr. 50 c. au lieu de 25 fr.; enclumes, massues, socs de charrue, 10 fr. au lieu de 20 fr.; ressorts de voitures et similaires, 30 fr. au lieu de 60 fr.; vis de fer de toute espèce, 12 fr. 50 c. au lieu de 25 fr.; fils de fer, 10 fr. au lieu de 20 fr. les 100 kilogrammes.

d. Armes blanches de toute espèce; réduction de moitié; canons de fusils de chasse, 1 fr. au lieu de 2 fr. la pièce; canons de pistolets, 35 c. au lieu de 75 c. la pièce.

e. Verres et cristaux; miroirs de toute dimension, non montés, 25 fr. au lieu de 60 fr. les 100 kil.; cristaux de toute espèce, 15 fr. au lieu de 40 fr. par 100 kil.; glaces et verres à vitres, 15 fr. au lieu de 25 fr. par 100 kil.; verre ouvré de toute espèce, 15 fr. au lieu de 18 fr. par 100 kil.; bouteilles d'un litre et au-dessus, demi-bouteilles, dames-jeannes sans distinction de capacité, bouteilles nommées *fiaschi*, réduction de moitié.

f. Porcelaine; en couleur ou dorée, 30 fr. au lieu de 50 fr.; blanche, 25 fr. par 100 kil.; poterie de terre ordinaire, 3 fr. au lieu de 4 fr. par 100 kil.; faïence en ouvrages divers; blanche, 8 fr. au lieu de 12 fr.; peinte, dorée ou colorée, 12 fr. au lieu de 20 fr.

g. Papier; de pâte de couleur et blanc de toute qualité, 30 fr. au lieu de 50 fr. par 100 kil.; colorée ou doré, 40 fr. au lieu de 65 fr.; imprimé, dessiné ou peint pour tenture, 50 fr. au lieu de 100 fr.; brouillard, 20 fr. au lieu de 50 fr.; grossier pour enveloppes, 10 fr. au lieu de 20 fr.

h. Livres en feuilles ou brochés, 30 fr. au lieu de 50 fr. par 100 kil.; reliés en carton, &c., 60 fr. au lieu de 100 fr.

i. Sucre raffiné de toute espèce, 25 fr. au lieu de 45 fr. les 100 kil.

j. Cuirs et peaux préparés, 66 fr. au lieu de 100 fr.; peaux chamoisées, 75 fr. au lieu de 150 fr.

k. Fil de laine ou de poil quelconque; blancs ou naturels, 60 c. au lieu de 1 fr. 10 c. le kil.; teints, 80 c. au lieu de 1 fr. 60 c.

l. Tissus de laine; foulés et drapés ou non, de la valeur de 10 fr.

par mètre et au-dessus, y compris les similaires, tels que les casimirs, &c. 3 fr. le kil. au lieu de 3 fr. 30 c., avec suppression des 10 p. c. à la valeur; de moins de 10 fr. par mètre, 2 fr. au lieu de 4 fr. 50 c.; tapis et couvertures de bourre de laine, lambcaux et lisières de drap, 1 fr. au lieu de 2 fr. le kil.; de toute autre qualité, 1 fr. au lieu de 3 fr.

m. Lin teillé ou peigné; réduction de moitié.

n. Fils de lin et de chanvre, de toute qualité; même réduction.

o. Tissus de lin et de chanvre, de toute qualité, écrus ou blanchis, même mélangés de coton ou de laine, croisés ou autrement ouvragés, écrus, blanchis ou mélangés de blanc, même réduction; dentelles de toute qualité, même réduction.

p. Fils de coton, inférieures au No. 20, 20 c. au lieu de 90 c.; du No. 20 au No. 40, 40 c. au lieu de 90 c.; du No. 40 au No. 60, 60 c. au lieu de 75 c.; d'un numéro supérieur, 75 c.; retors de toute qualité, 80 c. au lieu 1 fr. 80 c.

q. Tissus de coton, même mélangés de fil ou de laine, unis, croisés ou autrement ouvragés, écrus, blanchis, en couleur ou teints, imprimés, &c., réduction de la moitié.

r. Morue, réduction de 25 p. c.

Le droit à sortie sur les marchandises suivantes, dirigées des Etats Sardes vers la Belgique, sera réduit, savoir:

Celui sur les soies gréges à 1 fr. 50 c.

Celui sur les peaux brutes d'agneaux, à 15 fr.; sur les peaux de chevreaux, à 30 fr.

Toutefois les réductions stipulées à cet Article, comme celles qui figurent à l'Article XI, ne seront applicables qu'à partir du 1er Juin, 1851.

XIII. Afin d'équilibrer d'une manière aussi exacte que possible les concessions douanières et maritimes stipulées ci-dessus, Sa Majesté le Roi des Belges garantit aux navires Sardes le remboursement du droit perçu sur la navigation de l'Escaut par le Gouvernement des Pays-Bas, en vertu du § 3 de l'Article IX du Traité du 19 Avril, 1839.

XIV. Lorsque les produits compris aux Articles XI et XII seront transportés de l'un pays dans l'autre par la voie maritime, ils ne jouiront des réductions des droits qui leur sont attribuées que sous les conditions suivantes, savoir:

1°. Le transport devra se faire par navires Belges ou par navires Sardes;

2°. Les navires feront le voyage en droiture.

Toutefois les navires pourront relâcher en route, mais en se conformant aux conditions et aux formalités dont les 2 Gouvernements auront à convenir.

Les Hautes Parties Contractantes se communiqueront les règle-

ments en vigueur chez chacune d'elles en matière de relâche, et elles se feront part des modifications que ces règlements pourraient ultérieurement subir.

La voie maritime sera obligatoire pour le transport du sel et des marbres.

Il est convenu que les produits prenant la mer pour se rendre de Marseille à un port Sarde, ou *vice versa*, ne seront pas astreints à faire ce trajet sous pavillon Belge ou sous pavillon Sarde.

Les formalités de transport direct, par mer ou par terre, et les justifications d'origine seront déterminées par les 2 Gouvernements et de commun accord.

XV. Les objets de toute nature importés en Sardaigne d'ailleurs que de Belgique, sous pavillon Belge, ne paieront d'autres ni de plus forts droits quelconques que si l'importation était effectuée sous le pavillon de la nation étrangère la plus favorisée, autre que le pavillon du pays même d'où l'importation a lieu.

Et réciproquement, les objets de toute nature importés sous pavillon de Sardaigne en Belgique, d'ailleurs que de Sardaigne, ne paieront d'autres ni de plus forts droits quelconques que si l'importation était effectuée sous le pavillon de la nation étrangère la plus favorisée autre que celui du pays même d'où l'importation a lieu.

XVI. Les objets de toute nature quelconque, exportés par navires Belges ou par navires sardes des ports de l'un ou de l'autre des 2 Etats vers quelque pays que ce soit, ne seront pas assujettis à des droits ou à des formalités autres que les formalités ou les droits imposés à l'exportation par pavillon national.

XVII. Les primes, restitutions ou autres faveurs de même nature qui pourraient être accordées dans les Etats des 2 Parties Contractantes à des marchandises importées ou exportées par navires nationaux, seront aussi, et de la même manière, accordées aux marchandises importées directement de l'un des 2 pays sur ses navires dans l'autre, ou exportées de l'un des 2 pays par les navires de l'autre, vers quelque destination que ce soit.

XVIII. Il est néanmoins dérogé aux dispositions qui précèdent pour l'importation des produits de la pêche nationale, les 2 pays se réservant la faculté d'accorder des privilèges spéciaux au pavillon national pour le commerce de ces produits.

Il est entendu que la réduction accordée, en Belgique, aux sels de France pour déchet au raffinage, n'est pas étendue au sel des Etats Sardes.

XIX. Les marchandises importées dans les ports de Belgique ou de Sardaigne par les navires de l'un ou de l'autre Etat pourront être mises en entrepôt, livrées au transit ou à la réexportation, sans être assujetties à des droits d'entrepôt, d'emmagasiner, de vérification, de surveillance ou à d'autres charges de même nature plus forts que

ceux auxquels seront soumises les marchandises apportées par navires nationaux.

XX. Les navires Belges entrant dans un port de Sardaigne, et, réciproquement, les navires Sardes entrant dans un port de Belgique, et qui n'y viendraient décharger qu'une partie de leur cargaison pourront, en se conformant toutefois aux lois et règlements des Etats respectifs, conserver à leur bord la partie de la cargaison qui serait destinée à un autre port, soit du même pays, soit d'un autre, et la réexporter, sans être astreints à payer, pour cette dernière partie de leur cargaison, aucun droit de douane, sauf ceux de surveillance, lesquels, d'ailleurs, ne pourront mutuellement être perçus qu'au taux fixé pour la navigation nationale.

XXI. Les objets de toute nature venant de Belgique ou expédiés vers la Belgique jouiront, à leur passage par le territoire sarde, du traitement applicable dans les mêmes circonstances aux objets venant ou en destination du pays le plus favorisé. Réciproquement, les objets de toute nature venant de Sardaigne ou expédiés vers la Sardaigne jouiront, à leur passage par le territoire Belge, du traitement applicable dans les mêmes circonstances aux objets venant ou en destination du pays le plus favorisé.

XXII. Les réductions de droits concédées de part et d'autre par le présent Traité ne seront accordées spécialement à d'autres pays que moyennant équivalent.

Si, par la suite, l'une des 2 Hautes Parties Contractantes accorde à une autre nation quelconque de plus grands avantages relativement aux objets dénommés dans le Traité, ces avantages deviendront de plein droit communs à l'autre partie.

Si d'autres faveurs en matière de commerce et de navigation sont concédées par l'un des 2 Etats à quelque autre nation, les mêmes faveurs seront partagées par l'autre Etat, qui en jouira gratuitement, si la concession est gratuite ou si elle porte sur une concession déjà accordée par celui-ci en vertu du présent Traité, et en donnant un équivalent si la concession est conditionnelle.

XXIII. Il pourra être établi des Consuls et des Vice-Consuls de chacun des 2 pays dans l'autre pour la protection du commerce. Ces agents n'entreront en fonctions et en jouissance des droits, privilèges et immunités qui leur reviendront, qu'après en avoir obtenu l'autorisation du Gouvernement territorial. Celui-ci conservera d'ailleurs le droit de déterminer les résidences où il ne lui conviendra pas d'admettre les Consuls; bien entendu que, sous ce rapport, les 2 Gouvernements ne s'opposeront respectivement aucune restriction qui ne soit commune dans leur pays à toutes les nations.

XXIV. Les Agents Consulaires Belges dans les Etats sardes jouiront de tous les privilèges, exemptions et immunités dont jouis-

sent les agents de même qualité de la nation la plus favorisée. Il en sera de même en Belgique pour les Agents Consulaires de Sardaigne.

XXV. Les Consuls respectifs pourront faire arrêter et renvoyer soit à bord, soit dans leur pays, les matelots qui auraient déserté des bâtiments de leur nation dans un des ports de l'autre. A cet effet, ils s'adresseront, par écrit, aux autorités locales compétentes, et justifieront, par l'exhibition en original ou en copie dûment certifiée des registres du bâtiment ou du rôle d'équipage ou par d'autres documents officiels, que les individus qu'ils réclament faisaient partie dudit équipage ; sur cette demande ainsi justifiée, la remise ne pourra leur être refusée. Il leur sera donné toute aide pour la recherche et l'arrestation desdits déserteurs, qui seront même détenus et gardés dans les maisons d'arrêt du pays, à la réquisition et aux frais des Consuls, jusqu'à ce que ces agents aient trouvé une occasion de les faire partir.

Si pourtant cette occasion ne se présentait pas dans un délai de 2 mois, à compter du jour de l'arrestation, les déserteurs seraient mis en liberté et ne pourraient plus être arrêtés pour la même cause.

Il est entendu, que les marins sujets de l'autre partie seront exceptés de la présente disposition, à moins qu'ils ne soient naturalisés citoyens de l'autre pays.

Si le déserteur avait commis quelque délit, son extradition serait différée jusqu'à ce que le tribunal qui a droit d'en connaître ait rendu son jugement et que celui-ci ait eu son effet.

XXVI. Les navires, marchandises, et effets appartenant aux sujets Belges ou Sardes qui auraient été pris par des pirates, dans les limites de la juridiction de l'une des 2 Parties Contractantes, ou en haute mer, et qui seraient conduits ou trouvés dans les ports, rivières, rades, baies, de la domination de l'autre Partie Contractante, seront remis à leurs propriétaires en payant, s'il y a lieu, les frais de reprise qui seront déterminés par les tribunaux compétents lorsque le droit de propriété aurait été prouvé devant ces tribunaux et sur la réclamation qui devra en être faite dans le délai d'un an par les parties intéressées, par leurs fondés de pouvoirs ou par les agents des Gouvernements respectifs.

XXVII. Lorsqu'un navire appartenant aux citoyens du pays de l'une ou de l'autre des Parties Contractantes fera naufrage, échouera ou souffrira quelque avarie sur les côtes ou dans les domaines de l'autre Partie Contractante, celle-ci lui donnera toute assistance et protection comme aux navires de sa propre nation, lui permettant de décharger, en cas de besoin, ses marchandises, sans exiger aucun droit, ni impôt, ni contribution quelconque, jusqu'à ce que ces marchandises puissent être exportées, à moins qu'elles ne soient livrées

à la consommation intérieure. Ce navire, en toutes ses parties ou débris, en tous les objets qui y appartiendront, ainsi que tous les effets et marchandises qui en auront été sauvés, ou le produit de leur vente, s'ils sont vendus, seront fidèlement rendus aux propriétaires sur leur réclamation ou sur celle de leurs agents à ce dûment autorisés ; et dans le cas où il n'y aurait pas de propriétaire ou d'agent sur les lieux, lesdits effets ou marchandises, ou le produit de la vente qui en serait faite, ainsi que tous papiers trouvés à bord du vaisseau naufragé, seront remis au Consul Belge ou Sarde dans l'arrondissement duquel le naufrage aura eu lieu, et le Consul, les propriétaires ou les agents précités n'auront à payer que les dépenses faites pour la conservation de ces objets.

XXVIII. Le présent Traité sera en vigueur pendant 8 années à compter du jour de l'échange des Ratifications, et si un an avant l'expiration de ce terme ni l'une ni l'autre des 2 Parties Contractantes n'annonce par une déclaration officielle son intention d'en faire cesser les effets, ledit Traité restera encore obligatoire pendant une année pour les 2 parties, et ainsi de suite jusqu'à l'expiration des 12 mois qui suivront la déclaration officielle en question, à quelque époque qu'elle ait lieu.

XXIX. Dans le cas où l'une des Hautes Parties Contractantes, par l'effet d'une mesure législative, rendrait l'application générale des faveurs qu'elle concède, savoir : la Belgique, par rapport aux huiles, vins, marbres, fruits ; et la Sardaigne, par rapport aux ouvrages de fer, verres et cristaux, tissus de laine et de lin, la partie qui se croira lésée aura, pendant 6 mois à compter du jour où une semblable mesure aura été mise à exécution, le droit de dénoncer le présent Traité, qui cessera ses effets un an après que cette dénonciation aura été faite à l'autre partie.

XXX. Le présent Traité sera ratifié par Sa Majesté le Roi des Belges et par Sa Majesté le Roi de Sardaigne, et les Ratifications en seront échangées à Turin, dans le délai de 4 mois ou plus tôt, si faire se peut.

En foi de quoi, les Plénipotentiaires l'ont signé et y ont apposé leur sceau.

Fait en double original à Turin, le 24 Janvier, 1851.

(L.S.) H. DE BROUCKERE.

(L.S.) C. CAVOUR.

MESSAGE of the President of The United States, on the Opening of Congress.—Washington, December 2, 1851.

FELLOW CITIZENS OF THE SENATE,

AND OF THE HOUSE OF REPRESENTATIVES,

I CONGRATULATE you and our common constituency upon the favourable auspices under which you meet for your first session. Our country is at peace with all the world. The agitation which for a time threatened to disturb the fraternal relations which make us one people is fast subsiding, and a year of general prosperity and health has crowned the nation with unusual blessings. None can look back to the dangers which are passed, or forward to the bright prospect before us, without feeling a thrill of gratification, at the same time that he must be impressed with a grateful sense of our profound obligations to a beneficent Providence, whose paternal care is so manifest in the happiness of this highly-favoured land.

Since the close of the last Congress, certain Cubans and other foreigners resident in The United States, who were more or less concerned in the previous invasion of Cuba, instead of being discouraged by its failure, have again abused the hospitality of this country, by making it the scene of the equipment of another military expedition against that possession of Her Catholic Majesty, in which they were countenanced, aided, and joined by citizens of The United States. On receiving intelligence that such designs were entertained, I lost no time in issuing such instructions to the proper officers of The United States as seem to be called for by the occasion. By the proclamation, a copy of which is herewith submitted, I also warned those who might be in danger of being inveigled into this scheme, of its unlawful character, and of the penalties which they would incur. For some time there was reason to hope that these measures had sufficed to prevent any such attempt. This hope, however, proved to be delusive. Very early in the morning of the 3rd of August, a steamer called the *Pampero* departed from New Orleans for Cuba, having on board upwards of 400 armed men, with evident intentions to make war upon the authorities of the island. This expedition was set on foot in palpable violation of the laws of The United States. Its leader was a Spaniard, and several of the chief officers, and some others engaged in it, were foreigners. The persons composing it, however, were mostly citizens of The United States.

Before the expedition set out, and probably before it was organized, a slight insurrectionary movement, which appears to have been soon suppressed, had taken place in the eastern quarter of Cuba. The importance of this movement was unfortunately so much exaggerated in the accounts of it published in this country, that these adven-

turers seem to have been led to believe that the Creole population of the island not only desired to throw off the authority of the mother country, but had resolved upon that step, and had begun a well-concerted enterprise for effecting it. The persons engaged in the expedition were generally young and ill-informed. The steamer in which they embarked left New Orleans stealthily and without a clearance. After touching at Key West, she proceeded to the coast of Cuba, and on the night between the 11th and 12th of August, landed the persons on board at Playtas, within about 20 leagues of Havana.

The main body of them proceeded to, and took possession of, an inland village, 6 leagues distant, leaving others to follow in charge of the baggage, as soon as the means of transportation could be obtained. The latter having taken up their line of march to connect themselves with the main body, and having proceeded about 4 leagues into the country, were attacked on the morning of the 13th by a body of Spanish troops, and a bloody conflict ensued; after which they retreated to the place of disembarkation, where about 50 of them obtained boats and re-embarked therein. They were, however, intercepted among the keys near the shore by a Spanish steamer cruising on the coast, captured and carried to Havana, and, after being examined before a military court, were sentenced to be publicly executed, and the sentence was carried into effect on the 16th of August.

On receiving information of what had occurred, Commodore Foxhall A. Parker was instructed to proceed in the steam-frigate *Saranac* to Havana, and inquire into the charges against the persons executed, the circumstances under which they were taken, and whatsoever referred to their trial and sentence. Copies of the instructions from the Department of State to him, and of his letters to that department, are herewith submitted.

According to the record of the examination, the prisoners all admitted the offences charged against them, of being hostile invaders of the island. At the time of their trial and execution, the main body of the invaders was still in the field, making war upon the Spanish authorities and Spanish subjects. After the lapse of some days, being overcome by the Spanish troops, they dispersed on the 24th of August; Lopez, their leader, was captured some days after, and executed on the 1st of September. Many of his remaining followers were killed, or died of hunger and fatigue, and the rest were made prisoners. Of these, none appear to have been tried or executed. Several of them were pardoned upon application of their friends and others, and the rest, about 160 in number, were sent to Spain. Of the final disposition made of these, we have no official information.

Such is the melancholy result of this illegal and ill-fated expedition. Thus, thoughtless young men have been induced, by false and fraudulent representations, to violate the law of their country, through rash and unfounded expectations of assisting to accomplish political revolutions in other States, and have lost their lives in the undertaking. Too severe a judgment can hardly be passed by the indignant sense of the community upon those who, being better informed themselves, have yet led away the ardour of youth and an ill-directed love of political liberty. The correspondence between this Government and that of Spain relating to this transaction is herewith communicated.

Although these offenders against the laws have forfeited the protection of their country, yet the Government may, so far as is consistent with its obligations to other countries, and its fixed purpose to maintain and enforce the laws, entertain sympathy for their unoffending families and friends, as well as a feeling of compassion for themselves. Accordingly no proper effort has been spared, and none will be spared, to procure the release of such citizens of The United States engaged in this unlawful enterprize as are now in confinement in Spain; but it is to be hoped that such interposition with the Government of that country may not be considered as affording any ground of expectation that the Government of The United States will, hereafter, feel itself under any obligation of duty to intercede for the liberation or pardon of such persons as are flagrant offenders against the law of nations and the laws of The United States. These laws must be executed. If we desire to maintain our respectability among the nations of the earth, it behoves us to enforce steadily and sternly the neutrality Acts passed by Congress, and to follow, as far as may be, the violation of those Acts with condign punishment.

But what gives a peculiar criminality to this invasion of Cuba, is, that under the lead of Spanish subjects and with the aid of citizens of The United States, it had its origin, with many, in motives of cupidity. Money was advanced by individuals, probably in considerable amounts, to purchase Cuban bonds, as they have been called, issued by Lopez, sold, doubtless, at a very large discount, and for the payment of which the public lands and public property of Cuba, of whatever kind, and the fiscal resources of the people and Government of that island, from whatever source to be derived, were pledged, as well as the good faith of the Government expected to be established. All these means of payment, it is evident, were only to be obtained by a process of bloodshed, war, and revolution. None will deny that those who set on foot military expeditions against foreign States by means like these, are far more culpable than the ignorant and the necessitous whom they induce to go forth as the

ostensible parties in the proceeding. These originators of the invasion of Cuba seem to have determined, with coolness and system, upon an undertaking which should disgrace their country, violate its laws, and put to hazard the lives of ill-informed and deluded men. You will consider whether further legislation be necessary to prevent the perpetration of such offences in future.

No individuals have a right to hazard the peace of the country, or to violate its laws, upon vague notions of altering or reforming Governments in other States. This principle is not only reasonable in itself, and in accordance with public law, but is engrafted into the codes of other nations as well as our own. But while such are the sentiments of this Government, it may be added that every independent nation must be presumed to be able to defend its possessions against unauthorized individuals banded together to attack them. The Government of The United States, at all times since its establishment, has abstained, and has sought to restrain the citizens of the country from entering into controversies between other powers, and to observe all the duties of neutrality. At an early period of the Government, in the administration of Washington, several laws were passed for this purpose. The main provisions of these laws were re-enacted by the Act of April, 1818, by which, among other things, it was declared that if any person shall, within the territory or jurisdiction of The United States, begin, or set on foot, or provide, or prepare the means for any military expedition or enterprise to be carried on from thence against the territory or dominion of any foreign Prince or State, or of any colony, district, or people with whom The United States are at peace, every person so offending shall be deemed guilty of a high misdemeanour, and shall be fined not exceeding 3,000 dollars, and imprisoned not more than 3 years; and this law has been executed and enforced, to the full extent of the power of the Government, from that day to this.

In proclaiming and adhering to the doctrine of neutrality and non-intervention, The United States have not followed the lead of other civilized nations; they have taken the lead themselves, and have been followed by others. This was admitted by one of the most eminent of modern British statesmen, who said in Parliament, while a member of the Crown, "that if he wished for a guide in a system of neutrality, he should take that laid down by America in the days of Washington and the Secretaryship of Jefferson;" and we see, in fact, that the Act of Congress of 1818 was followed, the succeeding year, by an Act of the Parliament of England, substantially the same in its general provisions. Up to that time there had been no similar law in England, except certain highly penal statutes passed in the reign of George II., prohibiting English subjects from enlisting in foreign service, the avowed object of which statute was, that

foreign armies, raised for the purpose of restoring the house of Stuart to the throne, should not be strengthened by recruits from England herself.

All must see that difficulties may arise in carrying the laws referred to into execution in a country now having 3,000 or 4,000 miles of sea-coast, with an infinite number of ports and harbours and small inlets, from some of which unlawful expeditions may suddenly set forth, without the knowledge of Government, against the possessions of foreign States.

Friendly relations with all, but entangling alliances with none, has long been a maxim with us. Our true mission is not to propagate our opinions, or impose upon other countries our form of Government, by artifice or force; but to teach by example, and show by our success, moderation, and justice, the blessings of self-government, and the advantages of free institutions. Let every people choose for itself, and make and alter its political institutions to suit its own condition and convenience. But, while we avow and maintain this neutral policy ourselves, we are anxious to see the same forbearance on the part of other nations, whose forms of Government are different from our own. The deep interest which we feel in the spread of liberal principles and the establishment of free Governments, and the sympathy with which we witness every struggle against oppression, forbid that we should be indifferent to a case in which the strong arm of a foreign power is invoked to stifle public sentiment and repress the spirit of freedom in any country.

The Governments of Great Britain and France have issued orders to their naval commanders on the West India station to prevent by force, if necessary, the landing of adventurers from any nation on the Island of Cuba with hostile intent. The copy of a memorandum of a conversation on this subject between the Chargé d'Affaires of Her Britannic Majesty, and the Acting Secretary of State, and of a subsequent note of the former to the Department of State, are herewith submitted, together with a copy of a note of the Acting Secretary of State to the Minister of the French Republic, and of the reply of the latter on the same subject. These papers will acquaint you with the grounds of this interposition of the 2 leading commercial Powers of Europe, and with the apprehensions, which this Government could not fail to entertain, that such interposition, if carried into effect, might lead to abuses in derogation of the maritime rights of The United States. The maritime rights of The United States are founded on a firm, secure, and well-defined basis; they stand upon the ground of national independence and public law, and will be maintained in all their full and just extent.

The principle which this Government has heretofore solemnly announced it still adheres to, and will maintain under all circum-

stances and at all hazards. That principle is, that in every regularly documented merchant vessel, the crew who navigate it, and those on board of it, will find their protection in the flag which is over them. No American ship can be allowed to be visited or searched for the purpose of ascertaining the character of individuals on board, nor can there be allowed any watch by the vessels of any foreign nation, over American vessels on the coast of The United States or the seas adjacent thereto. It will be seen by the last communication from the British Chargé d'Affaires to the Department of State, that he is authorized to assure the Secretary of State that every care will be taken that, in executing the preventive measure against the expeditions which The United States Government itself has denounced as not being entitled to the protection of any Government, no interference shall take place with the lawful commerce of any nation.

In addition to the correspondence on this subject, herewith submitted, official information has been received at the Department of State of assurances by the French Government that, in the orders given to the French naval forces, they were expressly instructed, in any operations they might engage in, to respect the flag of The United States wherever it might appear, and to commit no act of hostility upon any vessel or armament under its protection.

Ministers and Consuls of foreign nations are the means and agents of communication between us and those nations, and it is of the utmost importance that, while residing in the country, they should feel a perfect security so long as they faithfully discharge their respective duties and are guilty of no violation of our laws. This is the admitted law of nations, and no country has a deeper interest in maintaining it than The United States. Our commerce spreads over every sea and visits every clime, and our Ministers and Consuls are appointed to protect the interests of that commerce, as well as to guard the peace of the country and maintain the honour of its flag. But how can they discharge these duties unless they be themselves protected? and, if protected, it must be by the laws of the country in which they reside. And what is due to our own public functionaries residing in foreign nations, is exactly the measure of what is due to the functionaries of other Governments residing here. As in war the bearers of flags of truce are sacred, or else wars would be interminable; so in peace, ambassadors, public ministers and consuls, charged with friendly national intercourse, are objects of especial respect and protection, each according to the rights belonging to his rank and station. In view of these important principles, it is with deep mortification and regret I announce to you that, during the excitement growing out of the executions at Havana, the office of Her Catholic Majesty's Consul at New Orleans was

assailed by a mob, his property destroyed, the Spanish flag found in the office carried off and torn in pieces, and he himself induced to flee for his personal safety, which he supposed to be in danger. On receiving intelligence of these events, I forthwith directed the Attorney of The United States residing at New Orleans to inquire into the facts and the extent of the pecuniary loss sustained by the Consul, with the intention of laying them before you, that you might make provision for such indemnity to him as a just regard for the honour of the nation and the respect which is due to a friendly Power might, in your judgment, seem to require. The correspondence upon this subject between the Secretary of State and Her Catholic Majesty's Minister Plenipotentiary is herewith transmitted.

The occurrence at New Orleans has led me to give my attention to the state of our laws in regard to foreign Ambassadors, Ministers, and Consuls. I think the legislation of the country is deficient in not providing sufficiently either for the protection or the punishment of Consuls. I therefore recommend the subject to the consideration of Congress.

Your attention is again invited to the question of reciprocal trade between The United States and Canada and other British possessions near our frontier. Overtures for a Convention upon this subject have been received from Her Britannic Majesty's Minister Plenipotentiary, but it seems to be in many respects preferable that the matter should be regulated by reciprocal legislation. Documents are laid before you showing the terms which the British Government is willing to offer, and the measures which it may adopt, if some arrangement upon this subject shall not be made.

From the accompanying copy of a note from the British Legation at Washington, and the reply of the Department of State thereto, it will appear that Her Britannic Majesty's Government is desirous that a part of the boundary line between Oregon and the British possessions should be authoritatively marked out, and that an intention was expressed to apply to Congress for an appropriation to defray the expense thereof on the part of The United States. Your attention to this subject is accordingly invited, and a proper appropriation recommended.

A Convention for the adjustment of claims of citizens of The United States against Portugal has been concluded, and the ratifications have been exchanged. The first instalment of the amount to be paid by Portugal fell due on the 30th of September last, and has been paid.

The President of the French Republic, according to the provisions of the Convention, has been selected as arbiter in the case of the *General Armstrong*, and has signified that he accepts the trust, and the high satisfaction he feels in acting as the common friend of 2

nations with which France is united by sentiments of sincere and lasting amity.

The Turkish Government has expressed its thanks for the kind reception given to the Sultan's Agent, Amin Bey, on the occasion of his recent visit to The United States. On the 28th of February last a despatch was addressed by the Secretary of State to Mr. Marsh, the American Minister at Constantinople, instructing him to ask of the Turkish Government permission for the Hungarians, then imprisoned within the dominions of the Sublime Porte, to remove to this country. On the 3rd of March last, both houses of Congress passed a resolution, requesting the President to authorize the employment of a public vessel to convey to this country Louis Kossuth and his associates in captivity.

The instruction above referred to was complied with, and the Turkish Government having released Governor Kossuth and his companions from prison, on the 10th of September last, they embarked on board of The United States' steam-frigate *Mississippi*, which was selected to carry into effect the resolution of Congress. Governor Kossuth left the *Mississippi* at Gibraltar, for the purpose of making a visit to England, and may shortly be expected in New York. By communications to the Department of State he has expressed his grateful acknowledgments for the interposition of this Government in behalf of himself and his associates. This country has been justly regarded as a safe asylum for those whom political events have exiled from their own homes in Europe; and it is recommended to Congress to consider in what manner Governor Kossuth and his companions, brought hither by its authority, shall be received and treated.

It is earnestly to be hoped that the differences which have for some time past been pending between the Government of the French Republic and that of the Sandwich Islands, may be peaceably and durably adjusted, so as to secure the independence of those islands. Long before the events which have of late imparted so much importance to the possessions of The United States on the Pacific, we acknowledged the independence of the Hawaiian Government. This Government was first in taking that step, and several of the leading Powers of Europe immediately followed. We were influenced in this measure by the existing and prospective importance of the islands as a place of refuge and refreshment for our vessels engaged in the whale fishery, and by the consideration that they lie in the course of the great trade which must, at no distant day, be carried on between the western coast of North America and Eastern Asia.

We were also influenced by a desire that those islands should not pass under the control of any other great maritime State, but should remain in an independent condition, and so be accessible and

useful to the commerce of all nations. I need not say that the importance of these considerations has been greatly enhanced by the sudden and vast development which the interests of The United States have attained in California and Oregon; and the policy heretofore adopted in regard to those islands will be steadily pursued.

It is gratifying not only to those who consider the commercial interests of nations, but also to all who favour the progress of knowledge and the diffusion of religion, to see a community emerge from a savage state and attain such a degree of civilization in those distant seas.

It is much to be deplored that the internal tranquillity of the Mexican Republic should again be seriously disturbed; for, since the peace between that Republic and The United States, it had enjoyed such comparative repose that the most favourable anticipations for the future might, with a degree of confidence, have been indulged. These, however, have been thwarted by the recent outbreak in the State of Tamaulipas, on the right bank of the Rio Bravo. Having received information that persons from The United States had taken part in the insurrection, and apprehending that their example might be followed by others, I caused orders to be issued for the purpose of preventing any hostile expeditions against Mexico from being set on foot in violation of the laws of The United States. I likewise issued a proclamation upon the subject, a copy of which is herewith laid before you. This appeared to be rendered imperative by the obligations of Treaties and the general duties of good neighbourhood.

In my last annual message I informed Congress that citizens of The United States had undertaken the connection of the two oceans by means of a railroad across the Isthmus of Tehuantepec, under a grant of the Mexican Government to a citizen of that Republic; and that this enterprise would probably be prosecuted with energy whenever Mexico should consent to such stipulations with the Government of The United States as should impart a feeling of security to those who should invest their property in the enterprise.

A Convention between the 2 Governments for the accomplishment of that end has been ratified by this Government, and only awaits the decision of the Congress and the Executive of that Republic.

Some unexpected difficulties and delays have arisen in the ratification of that Convention by Mexico, but it is to be presumed that her decision will be governed by just and enlightened views, as well of the general importance of the object, as of her own interests and obligations.

In negotiating upon this important subject, this Government has had in view one, and only one object. That object has been, and is, the construction or attainment of a passage from ocean to ocean, the shortest and the best for travellers and merchandise, and equally open to all the world. It has sought to obtain no territorial acquisition, nor any advantages peculiar to itself; and it would see, with the greatest regret, that Mexico should oppose any obstacle to the accomplishment of an enterprise which promises so much convenience to the whole commercial world, and such eminent advantages to Mexico herself. Impressed with these sentiments and these convictions, the Government will continue to exert all proper efforts to bring about the necessary arrangement with the Republic of Mexico for the speedy completion of the work.

For some months past, the Republic of Nicaragua has been the theatre of one of those civil convulsions from which the cause of free institutions and the general prosperity and social progress of the States of Central America have so often and so severely suffered. Until quiet shall have been restored, and a Government apparently stable shall have been organized, no advance can prudently be made in disposing of the questions pending between the 2 countries.

I am happy to announce that an inter-oceanic communication from the mouth of the St. John to the Pacific has been so far accomplished as that passengers have actually traversed it, and merchandize has been transported over it; and when the canal shall have been completed according to the original plan, the means of communication will be further improved. It is understood that a considerable part of the railroad across the Isthmus of Panama has been completed, and that the mail and passengers will in future be conveyed thereon.

Whichever of the several routes between the two oceans may ultimately prove most eligible for travellers to and from the different States on the Atlantic and Gulf of Mexico and our coast on the Pacific, there is little reason to doubt that all of them will be useful to the public, and will liberally reward that individual enterprise by which alone they have been or are expected to be carried into effect.

Peace has been concluded between the contending parties in the Island of St. Domingo, and it is hoped, upon a durable basis. Such is the extent of our commercial relations with that island, that The United States cannot fail to feel a strong interest in its tranquillity.

The office of Commissioner to China remains unfilled; several persons have been appointed, and the place has been offered to others, all of whom have declined its acceptance, on the ground of the inadequacy of the compensation. The annual allowance by law is 6,000 dollars, and there is no provision for any outfit. I earnestly

recommend the consideration of this subject to Congress. Our commerce with China is highly important, and is becoming more and more so, in consequence of the increasing intercourse between our ports on the Pacific Coast and Eastern Asia. China is understood to be a country in which living is very expensive, and I know of no reason why the American Commissioner sent thither should not be placed, in regard to compensation, on an equal footing with Ministers who represent this country at the Courts of Europe.

By reference to the report of the Secretary of the Treasury, it will be seen that the aggregate receipts for the last fiscal year amounted to 52,312,979 dollars; which, with the balance in the Treasury on the 1st July, 1850, gave, as the available means for the year, the sum of 58,917,524 dollars.

The total expenditures for the same period were 48,005,878 dollars.

The total imports for the year ending	<i>Dollars.</i>	<i>Dollars.</i>
30th June, 1851, were		215,725,995
Of which there were in specie		4,967,901
The exports for the same period were ..		217,517,130
Of which there were of domestic products	178,546,555	
Foreign goods re-exported	9,738,695	
Specie	29,231,880	
	<hr/>	217,517,130

Since the 1st of December last, the payments in cash on account of the public debt, exclusive of interest, have amounted to 7,501,456 dollars; which, however, includes the sum of 3,242,400 dollars paid under the 12th Article of the Treaty with Mexico, and the further sum of 2,591,213 dollars, being the amount of awards to American citizens under the late Treaty with Mexico, for which the issue of stock was authorized, but which was paid in cash from the Treasury.

The public debt on the 20th ultimo, exclusive of the stock authorized to be issued to Texas by the Act of 9th September, 1850, was 62,560,395 dollars.

The receipts for the next fiscal year are estimated at 51,800,000 dollars; which, with the probable unappropriated balance in the Treasury on the 30th June next, will give, as the probable available means for that year, the sum of 63,258,743 dollars.

It has been deemed proper, in view of the large expenditures consequent upon the acquisition of territory from Mexico, that the estimates for the next fiscal year should be laid before Congress in such manner as to distinguish the expenditures so required from the otherwise ordinary demands upon the Treasury.

The total expenditures for the next fiscal year are estimated at 42,892,299 dollars, of which there is required for the ordinary purposes of the Government, other than those consequent upon the

acquisition of our new territories, and deducting the payments on account of the public debt, the sum of 33,343,198 dollars ; and for the purposes connected directly or indirectly with those territories, and in the fulfilment of the obligations of the Government, contracted in consequence of their acquisition, the sum of 9,549,101 dollars.

If the views of the Secretary of the Treasury in reference to the expenditures required for these territories shall be met by corresponding action on the part of Congress, and appropriations made in accordance therewith, there will be an estimated unappropriated balance in the Treasury on the 30th June, 1853, of 20,366,443 dollars, wherewith to meet that portion of the public debt due on the 1st of July following, amounting to 6,237,931 dollars, as well as any appropriations which may be made beyond the estimates.

In thus referring to the estimated expenditures on account of our newly-acquired territories, I may express the hope that Congress will concur with me in the desire that a liberal course of policy may be pursued towards them, and that every obligation, express or implied, entered into in consequence of their acquisition, shall be fulfilled by the most liberal appropriations for that purpose.

The values of our domestic exports for the last fiscal year, as compared with those of the previous year, exhibit an increase of 43,646,322 dollars. At first view, this condition of our trade with foreign nations would seem to present the most flattering hopes of its future prosperity. An examination of the details of our exports however, will show that the increased value of our exports for the last fiscal year is to be found in the high price of cotton which prevailed during the first half of that year, which price has since declined about one-half.

The value of our exports of breadstuffs and provisions, which it was supposed the incentive of a low tariff and large importations from abroad would have greatly augmented, has fallen from 68,701,921 dollars in 1847, to 26,051,373 dollars in 1850, and to 21,848,653 dollars in 1851, with a strong probability, amounting almost to a certainty, of a still further reduction in the current year.

The aggregate values of rice exported during the last fiscal year, as compared with the previous year, also exhibit a decrease amounting to 460,917 dollars, which, with a decline in the value of the exports of tobacco for the same period, make an aggregate decrease in these 2 articles of 1,156,751 dollars.

The policy which dictated a low rate of duties on foreign merchandize, it was thought by those who promoted and established it, would tend to benefit the farming population of this country, by increasing the demand and raising the price of agricultural products in foreign markets.

The foregoing facts, however, seem to show incontestably, that no such result has followed the adoption of this policy. On the contrary, notwithstanding the repeal of the restrictive corn laws in England, the foreign demand for the products of the American farmer has steadily declined, since the short crops and consequent famine in a portion of Europe have been happily replaced by full crops and comparative abundance of food.

It will be seen, by recurring to the commercial statistics for the past year, that the value of our domestic exports has been increased in the single item of raw cotton, by 40,000,000 dollars over the value of that export for the year preceding. This is not due to any increased general demand for that article, but to the short crop of the preceding year, which created an increased demand and an augmented price for the crop of last year. Should the cotton crop now going forward to market be only equal in quantity to that of the year preceding, and be sold at the present prices, then there would be a falling off in the value of our exports, for the present fiscal year, of at least 40,000,000 dollars, compared with the amount exported for the year ending 30th June, 1851.

The production of gold in California, for the past year, seems to promise a large supply of that metal from that quarter for some time to come. This large annual increase of the currency of the world must be attended with its usual results. These have been already partially disclosed, in the enhancement of prices, and a rising spirit of speculation and adventure, tending to overtrading, as well at home as abroad. Unless some salutary check shall be given to these tendencies, it is to be feared that importations of foreign goods, beyond a healthy demand in this country, will lead to a sudden drain of the precious metals from us, bringing with it, as it has done in former times, the most disastrous consequences to the business and capital of the American people.

The exports of specie to liquidate our foreign debt during the past fiscal year have been 24,263,979 dollars over the amount of specie imported. The exports of specie during the first quarter of the present fiscal year have been 14,651,827 dollars. Should specie continue to be exported at this rate for the remaining 3 quarters of this year, it will drain from our metallic currency during the year ending 30th June, 1852, the enormous amount of 58,607,308 dollars.

In the present prosperous condition of the national finances, it will become the duty of Congress to consider the best mode of paying off the public debt. If the present and anticipated surplus in the Treasury should not be absorbed by appropriations of an extraordinary character, this surplus should be employed in such way, and under such restrictions as Congress may enact, in extinguishing the outstanding debt of the nation.

By reference to the Act of Congress approved 9th September, 1850, it will be seen that, in consideration of certain concessions by the State of Texas, it is provided that "The United States shall pay to the State of Texas the sum of 10,000,000 dollars, in a stock bearing 5 per cent. interest, and redeemable at the end of 14 years, the interest payable half-yearly at the Treasury of The United States."

In the same section of the law it is further provided "that no more than 5,000,000 of said stock shall be issued until the creditors of the State holding bonds and other certificates of stock of Texas, for which duties on imports were specially pledged, shall first file at the Treasury of The United States releases of all claims against The United States, for or on account of said bonds or certificates, in such form as shall be prescribed by the Secretary of the Treasury, and approved by the President of The United States."

The form of release thus provided for has been prescribed by the Secretary of the Treasury, and approved. It has been published in all the leading newspapers in the commercial cities of The United States, and all persons holding claims of the kind specified in the foregoing proviso were required to file their releases (in the form thus prescribed) in the Treasury of The United States, on or before the 1st day of October, 1851. Although this publication has been continued from the 25th day of March, 1851, yet up to the 1st of October last, comparatively few releases had been filed by the creditors of Texas.

The authorities of the State of Texas, at the request of the Secretary of the Treasury, have furnished a Schedule of the public debt of that State, created prior to her admission into the Union, with a copy of the laws under which each class was contracted.

I have, from the documents furnished by the State of Texas, determined the classes of claims which, in my judgment, fall within the provisions of the Act of Congress of the 9th of September, 1850.

On being officially informed of the acceptance by Texas of the propositions contained in the Act referred to, I caused the stock to be prepared, and the 5,000,000 which are to be issued unconditionally, bearing an interest of 5 per cent. from the 1st day of January, 1851, have been for some time ready to be delivered to the State of Texas. The authorities of Texas, up to the present time, have not authorized any one to receive this stock, and it remains in the Treasury Department, subject to the order of Texas.

The releases, required by law to be deposited in the Treasury, not having been filed there, the remaining 5,000,000 have not been issued. This last amount of the stock will be withheld from Texas until the conditions upon which it is to be delivered shall be com-

plied with by the creditors of that State, unless Congress shall otherwise direct by a modification of the law.

In my last annual message, to which I respectfully refer, I stated briefly the reasons which induced me to recommend a modification of the present tariff, by converting the *ad valorem* into a specific duty, whenever the article imported was of such a character as to permit it, and that such a discrimination should be made, in favour of the industrial pursuits of our own country, as to encourage home production without excluding foreign competition.

The numerous frauds which continue to be practised upon the revenue by false invoices and under-valuations, constitute an unanswerable reason for adopting specific instead of *ad valorem* duties in all cases where the nature of the commodity does not forbid it. A striking illustration of these frauds will be exhibited in the report of the Secretary of the Treasury, showing the Custom-house valuation of articles imported under a former law subject to specific duties, when there was no inducement to under-valuation, and the Custom-house valuations of the same articles under the present system of *ad valorem* duties, so greatly reduced as to leave no doubt of the existence of the most flagrant abuses under the existing laws. This practical evasion of the present law, combined with the languishing condition of some of the great interests of the country caused by over-importations and consequent depressed prices, and with the failure in obtaining a foreign market for our increasing surplus of breadstuffs and provisions, has induced me again to recommend a modification of the existing tariff.

The report of the Secretary of the Interior, which accompanies this communication, will present a condensed statement of the operations of that important department of the Government.

It will be seen that the cash sales of the public lands exceed those of the preceding year, and that there is reason to anticipate a still further increase, notwithstanding the large donations which have been made to many of the States, and the liberal grants to individuals as a reward for military services. This fact furnishes very gratifying evidence of the growing wealth and prosperity of our country.

Suitable measures have been adopted for commencing the survey of the public lands in California and Oregon. Surveying parties have been organized, and some progress has been made in establishing the principal base and meridian lines. But further legislation and additional appropriations will be necessary before the proper subdivisions can be made, and the general land system extended over those remote parts of our territory.

On the 3rd of March last, an Act was passed providing for the appointment of 3 Commissioners to settle private land claims in Cali-

fornia. Three persons were immediately appointed, all of whom, however, declined accepting the office, in consequence of the inadequacy of the compensation. Others were promptly selected, who for the same reason also declined; and it was not until late in the season that the services of suitable persons could be secured. A majority of the Commissioners convened in this city on the 10th September last, when detailed instructions were given to them in regard to their duties. Their first meeting for the transaction of business will be held in San Francisco on the 8th day of the present month.

I have thought proper to refer to these facts, not only to explain the causes of the delay in filling the commission, but to call your attention to the propriety of increasing the compensation of the Commissioners. The office is one of great labour and responsibility, and the compensation should be such as to command men of a high order of talents and the most unquestionable integrity.

The proper disposal of the mineral lands of California is a subject surrounded by great difficulties. In my last annual message, I recommended the survey and sale of them in small parcels, under such restrictions as would effectually guard against monopoly and speculation. But upon further information, and in deference to the opinions of persons familiar with the subject, I am inclined to change that recommendation, and to advise that they be permitted to remain, as at present, a common field, open to the enterprise and industry of all our citizens, until further experience shall have developed the best policy to be ultimately adopted in regard to them. It is safer to suffer the inconvenience that now exists, for a short period, than, by premature legislation, to fasten on the country a system founded in error, which may place the whole subject beyond the future control of Congress.

The agricultural lands should, however, be surveyed, and brought into market with as little delay as possible, that the titles may become settled, and the inhabitants stimulated to make permanent improvements, and enter on the ordinary pursuits of life. To effect these objects, it is desirable that the necessary provision be made by law for the establishment of land offices in California and Oregon, and for the efficient prosecution of the surveys at an early day.

Some difficulties have occurred in organizing the territorial Governments of New Mexico and Utah; and, when more accurate information shall be obtained of the causes, a further communication will be made on that subject.

In my last annual communication to Congress, I recommended the establishment of an Agricultural Bureau, and I take this occasion again to invoke your favourable consideration of the subject.

Agriculture may justly be regarded as the great interest of our

people. Four-fifths of our active population are employed in the cultivation of the soil, and the rapid expansion of our settlements over new territory is daily adding to the number of those engaged in that vocation. Justice and sound policy, therefore, alike require that the Government should use all the means authorized by the Constitution to promote the interests and welfare of that important class of our fellow-citizens. And yet it is a singular fact that, whilst the manufacturing and commercial interests have engaged the attention of Congress during a large portion of every session, and our statutes abound in provisions for their protection and encouragement, little has yet been done directly for the advancement of agriculture. It is time that this reproach to our legislation should be removed ; and I sincerely hope that the present Congress will not close their labours without adopting efficient means to supply the omissions of those who have preceded them.

An Agricultural Bureau, charged with the duty of collecting and disseminating correct information as to the best modes of cultivation, and of the most effectual means of preserving and restoring the fertility of the soil, and of procuring and distributing seeds and plants, and other vegetable productions, with instructions in regard to the soil, climate, and treatment best adapted to their growth, could not fail to be, in the language of Washington, in his last annual message to Congress, a "very cheap instrument of immense national benefit."

Regarding the Act of Congress, approved 28th September, 1850, granting bounty lands to persons who had been engaged in the military service of the country, as a great measure of national justice and munificence, an anxious desire has been felt by the officers entrusted with its immediate execution, to give prompt effect to its provisions. All the means within their control were, therefore, brought into requisition to expedite the adjudication of claims ; and I am gratified to be able to state, that near 100,000 applications have been considered, and about 70,000 warrants issued, within the short space of 9 months. If adequate provision be made by law to carry into effect the recommendations of the Department, it is confidently expected that, before the close of the next fiscal year, all who are entitled to the benefits of the Act will have received their warrants.

The Secretary of the Interior has suggested in his report various amendments of the laws relating to pensions and bounty lands, for the purpose of more effectually guarding against abuses and frauds on the Government ; to all of which I invite your particular attention.

The large accessions to our Indian population consequent upon

the acquisition of New Mexico and California, and the extension of our settlements into Utah and Oregon, have given increased interest and importance to our relations with the aboriginal race.

No material change has taken place within the last year in the condition and prospects of the Indian tribes who reside in the north-western territory and west of the Mississippi river. We are at peace with all of them; and it will be a source of pleasure to you to learn that they are gradually advancing in civilization and the pursuits of social life.

Along the Mexican frontier, and in California and Oregon, there have been occasional manifestations of unfriendly feeling, and some depredations committed. I am satisfied, however, that they resulted more from the destitute and starving condition of the Indians than from any settled hostility toward the whites. As the settlements of our citizens progress towards them, the game, upon which they mainly rely for subsistence, is driven off or destroyed, and the only alternative left to them is starvation or plunder. It becomes us to consider, in view of this condition of things, whether justice and humanity, as well as an enlightened economy, do not require that, instead of seeking to punish them for offences which are the result of our own policy towards them, we should not provide for their immediate wants, and encourage them to engage in agriculture, and to rely on their labour, instead of the chase, for the means of support.

Various important Treaties have been negotiated with different tribes during the year, by which their title to large and valuable tracts of country has been extinguished; all of which will, at the proper time, be submitted to the Senate for ratification.

The joint commission under the Treaty of Guadalupe Hidalgo has been actively engaged in running and marking the boundary line between The United States and Mexico. It was stated in the last annual report of the Secretary of the Interior that the initial point on the Pacific, and the point of junction of the Gila with the Colorado river had been determined, and the intervening line, about 150 miles in length, run and marked by temporary monuments. Since that time a monument of marble has been erected at the initial point, and permanent landmarks of iron have been placed at suitable distances along the line.

The initial point on the Rio Grande has also been fixed by the Commissioners at latitude $32^{\circ} 22'$, and, at the date of the last communication, the survey of the line had been made thence westward about 150 miles, to the neighbourhood of the copper mines.

The commissioner on our part was at first organized on a scale which experience proved to be unwieldy and attended with unnecessary expense. Orders have, therefore, been issued for the reduction of the number of persons employed within the smallest limits

consistent with the safety of those engaged in the service, and the prompt and efficient execution of their important duties.

Returns have been received from all the officers engaged in taking the census in the States and Territories, except California. The Superintendent employed to make the enumeration in that State, has not yet made his full report, from causes, as he alleges, beyond his control. This failure is much to be regretted, as it has prevented the Secretary of the Interior from making the decennial apportionment of representatives among the States, as required by the Act approved May 23, 1850. It is hoped, however, that the returns will soon be received, and no time will then be lost in making the necessary apportionment, and in transmitting the certificates required by law.

The Superintendent of the seventh census is diligently employed, under the direction of the Secretary of the Interior, in classifying and arranging, in tabular form, all the statistical information derived from the returns of the Marshals, and it is believed that when the work shall be completed, it will exhibit a more perfect view of the population, wealth, occupations, and social condition of a great country, than has ever been presented to the world. The value of such a work, as the basis of enlightened legislation, can hardly be over-estimated; and I earnestly hope that Congress will lose no time in making the appropriations necessary to complete the classifications, and to publish the results in a style worthy of the subject, and of our national character.

The want of a uniform fee-bill, prescribing the compensation to be allowed district attorneys, clerks, marshals, and commissioners in civil and criminal cases, is the cause of much vexation, injustice, and complaint. I would recommend a thorough revision of the laws on the whole subject, and the adoption of a tariff of fees which, as far as practicable, should be uniform, and prescribe a specific compensation for every service which the officer may be required to perform. This subject will be fully presented in the report of the Secretary of the Interior.

In my last annual message I gave briefly my reasons for believing that you possessed the constitutional power to improve the harbours of our great lakes and sea-coast, and the navigation of our principal rivers, and recommended that appropriations should be made for completing such works as had already been commenced, and for commencing such others as might seem to the wisdom of Congress to be of public and general importance. Without repeating the reasons then urged, I deem it my duty again to call your attention to this important subject. The works on many of our harbours were left in an unfinished state, and, consequently, exposed to the action of the elements, which is fast destroying them. Great

numbers of lives and vast amounts of property are annually lost for want of safe and convenient harbours on the lakes. None but those who have been exposed to that dangerous navigation can fully appreciate the importance of this subject. The whole north-west appeals to you for relief, and I trust their appeal will receive due consideration at your hands.

The same is in a measure true in regard to some of the harbours and inlets on the sea coast.

The unobstructed navigation of our large rivers is of equal importance. Our settlements are now extending to the sources of the great rivers which empty into and form part of the Mississippi, and the value of the public lands in those regions would be greatly enhanced by freeing the navigation of those waters from obstructions. In view, therefore, of this great interest, I deem it my duty again to urge upon Congress to make such appropriations for these improvements as they may deem necessary.

The surveys of the delta of the Mississippi, with a view to the prevention of the overflows that have proved so disastrous to that region of country, have been nearly completed, and the reports thereof are now in course of preparation, and will shortly be laid before you.

The protection of our south-western frontier, and of the adjacent Mexican States, against the Indian tribes within our border, has claimed my earnest and constant attention. Congress having failed, at the last session, to adopt my recommendation that an additional regiment of mounted men, specially adapted to that service, should be raised, all that remained to be done was to make the best use of the means at my disposal. Accordingly, all the troops adapted to that service that could properly be spared from other quarters have been concentrated on that frontier, and officers of high reputation selected to command them. A new arrangement of the military posts has also been made, whereby the troops are brought nearer to the Mexican frontier and to the tribes they are intended to overawe.

Sufficient time has not yet elapsed to realize all the benefits that are expected to result from these arrangements, but I have every reason to hope that they will effectually check their marauding expeditions. The nature of the country, which furnishes little for the support of an army, and abounds in places of refuge and concealment, is remarkably well adapted to this predatory warfare; and we can scarcely hope that any military force, combined with the greatest vigilance, can entirely suppress it.

By the Treaty of Guadalupe Hidalgo we are bound to protect the territory of Mexico against the incursions of the savage tribes within our border, "with equal diligence and energy," as if the same

were made within our territory or against our citizens. I have endeavoured to comply, as far as possible, with this provision of the Treaty. Orders have been given to the officers commanding on that frontier to consider the Mexican territory and its inhabitants as equally with our own entitled to their protection; and to make all their plans and arrangements with a view to the attainment of this object. Instructions have also been given to the Indian Commissioners and Agents among these tribes, in all Treaties, to make the clauses designed for the protection of our own citizens apply also to those of Mexico. I have no reason to doubt that these instructions have been fully carried into effect. Nevertheless, it is probable that in spite of all our efforts, some of the neighbouring States of Mexico may have suffered, as our own have, from depredations by the Indians.

To the difficulties of defending our own territory, as above-mentioned, are superadded, in defending that of Mexico, those that arise from its remoteness, from the fact that we have no right to station our troops within her limits, and that there is no efficient military force on the Mexican side to co-operate with our own. So long as this shall continue to be the case, the number and activity of our troops will rather increase than diminish the evil, as the Indians will naturally turn towards that country where they encounter the least resistance. Yet these troops are necessary to subdue them, and to compel them to make and observe Treaties. Until this shall have been done, neither country will enjoy any security from their attacks.

The Indians in California, who had previously appeared of a peaceable character, and disposed to cultivate the friendship of the whites, have recently committed several acts of hostility. As a large portion of the reinforcements sent to the Mexican frontier were drawn from the Pacific, the military force now stationed there is considered entirely inadequate to its defence. It cannot be increased, however, without an increase of the army; and I again recommend that measure as indispensable to the protection of the frontier.

I invite your attention to the suggestions on this subject, and on others connected with his department, in the report of the Secretary of War.

The appropriations for the support of the army, during the current fiscal year ending 30th June next, were reduced far below the estimate submitted by the department. The consequence of this reduction is a considerable deficiency, to which I invite your early attention.

The expenditures of that department, for the year ending 30th June last, were 9,060,268 dollars. The estimates for the year com-

mencing 1st July next, and ending June 30, 1853, are 7,898,775 dollars, showing a reduction of 1,161,492 dollars.

The Board of Commissioners, to whom the management of the affairs of the Military Asylum, created by the Act of 3rd March last, was entrusted, have selected a site for the establishment of an asylum in the vicinity of this city, which has been approved by me, subject to the production of a satisfactory title.

The report of the Secretary of the Navy will exhibit the condition of the public service under the supervision of that Department. Our naval force afloat during the present year, has been actively and usefully employed in giving protection to our widely-extended and increasing commerce and interests in the various quarters of the globe, and our flag has everywhere afforded the security and received the respect inspired by the justice and liberality of our intercourse, and the dignity and power of the nation.

The expedition commanded by Lieutenant De Haven, despatched in search of the British commander, Sir John Franklin, and his companions in the Arctic seas, returned to New York in the month of October, after having undergone great peril and suffering from an unknown and dangerous navigation and the rigours of a northern climate, without any satisfactory information of the objects of their search, but with new contributions to science and navigation from the unfrequented polar regions. The officers and men of the expedition having been all volunteers for this service, and having so conducted it as to meet the entire approbation of the Government, it is suggested, as an act of grace and generosity, that the same allowances of extra pay and emoluments be extended to them that were made to the officers and men of like rating in the late exploring expedition to the South Seas.

I earnestly recommend to your attention the necessity of reorganizing the naval establishment, apportioning and fixing the number of officers in each grade, providing some mode of promotion to the higher grades of the Navy, having reference to merit and capacity, rather than seniority or date of entry into the service, and for retiring from the effective list upon reduced pay those who may be incompetent to the performance of active duty. As a measure of economy, as well as of efficiency in this arm of the service, the provision last mentioned is eminently worthy of your consideration.

The determination of the questions of relative rank between the sea officers and civil officers of the navy, and between officers of the army and navy, in the various grades of each, will also merit your attention. The failure to provide any substitute, when corporal punishment was abolished for offences in the navy, has occasioned the convening of numerous courts-martial upon the arrival of vessels in port, and it is believed to have had an injurious effect upon the

discipline and efficiency of the service. To moderate punishment from one grade to another is among the humane reforms of the age; but to abolish one of severity, which applied so generally to offences on shipboard, and provide nothing in its stead, is to suppose a progress of improvement in every individual among seamen which is not assumed by the legislature in respect to any other class of men. It is hoped that Congress, in the ample opportunity afforded by the present session, will thoroughly investigate this important subject, and establish such modes of determining guilt, and such gradations of punishment, as are consistent with humanity and the personal rights of individuals, and at the same time shall insure the most energetic and efficient performance of duty and the suppression of crime in our ships of war.

The stone dock in the navy yard at New York, which was 10 years in process of construction, has been so far finished as to be surrendered up to the authorities of the yard. The dry dock at Philadelphia is reported as completed, and is expected soon to be tested and delivered over to the agents of the Government. That at Portsmouth, New Hampshire, is also nearly ready for delivery; and a contract has been concluded, agreeably to the Act of Congress at its last session, for a floating sectional dock on the bay of San Francisco. I invite your attention to the recommendation of the Department touching the establishment of a navy yard in conjunction with this dock on the Pacific. Such a station is highly necessary to the convenience and effectiveness of our fleet in that ocean, which must be expected to increase with the growth of commerce and the rapid extension of our whale fisheries over its waters.

The Naval Academy at Annapolis, under a revised and improved system of regulations, now affords opportunities of education and instruction to the pupils quite equal, it is believed, for professional improvement, to those enjoyed by the cadets in the Military Academy. A large class of acting midshipmen was received at the commencement of the last academic term, and a practice-ship has been attached to the institution, to afford the amplest means for regular instruction in seamanship, as well as for cruises during the vacations of 3 or 4 months in each year.

The advantages of science in nautical affairs have rarely been more strikingly illustrated, than in the fact stated in the report of the Navy Department, that, by means of the wind and current charts, projected and prepared by Lieutenant Maury, the Superintendent of the Naval Observatory, the passage from the Atlantic to the Pacific ports of our country has been shortened by about 40 days.

The estimates for the support of the navy and marine corps, the ensuing fiscal year, will be found to be 5,856,472 dollars, the estimates for the current year being 5,900,621 dollars.

The estimates for special objects under the control of this department, amount to 2,684,220 dollars, against 2,210,980 dollars for the present year, the increase being occasioned by the additional mail service on the Pacific Coast, and the construction of the dock in California, authorized at the last session of Congress, and some slight additions under the head of improvements and repairs in navy yards, buildings, and machinery.

I deem it of much importance to a just economy, and a correct understanding of naval expenditures, that there should be an entire separation of the appropriations for the support of the naval service proper from those for permanent improvements at navy yards and stations, and from ocean steam-mail service, and other special objects assigned to the supervision of this department.

The report of the Postmaster-General, herewith communicated, presents an interesting view of the progress, operations, and condition of his department.

At the close of the last fiscal year, the length of mail routes within The United States was 196,290 miles; the annual transportation thereon 53,272,252 miles; and the annual cost of such transportation 3,421,754 dollars.

The length of the foreign mail routes is estimated at 18,349 miles, and the annual transportation thereon at 615,206 miles. The annual cost of this service is 1,472,187 dollars, of which 448,937 dollars is paid by the Post Office Department, and 1,023,250 dollars are paid through the Navy Department.

The annual transportation within The United States (excluding the service in California and Oregon, which is now, for the first time, reported and embraced in the tabular statements of the department) exceeds that of the preceding year 6,162,855 miles, at an increased cost of 547,110 dollars.

The whole number of Post Offices in The United States on the 30th day of June last was 19,796. There were 1,698 Post Offices established, and 256 discontinued, during the year.

The gross revenues of the department for the fiscal year, including the appropriations for the franked matter of Congress, of the departments, and officers of Government, and excluding the foreign postages, collected for, and payable to the British Post Office, amounted to 6,727,866 dollars.

The expenditures for the same period (excluding 20,599 dollars, paid under an award of the Auditor, in pursuance of a resolution of the last Congress, for mail service on the Ohio and Mississippi rivers in 1832 and 1833, and the amount paid to the British Post Office for foreign postages, collected for, and payable to that Office), amounted to 6,024,566 dollars; leaving a balance of revenue over the proper expenditures of the year of 703,299 dollars.

The receipts for postages during the year (excluding the foreign postages, collected for, and payable to the British Post Office), amounted to 6,345,747 dollars, being an increase of 997,610 dollars, or $18\frac{6.5}{100}$ per cent. over the like receipts for the preceding year.

The reduction of postage under the Act of March last, did not take effect until the commencement of the present fiscal year. The accounts for the first quarter, under the operation of the reduced rates, will not be settled before January next; and no reliable estimate of the receipts for the present year can yet be made. It is believed, however, that they will fall far short of those of the last year. The surplus of the revenues now on hand is, however, so large, that no further appropriation from the Treasury, in aid of the revenues of the department, is required for the current fiscal year; but an additional appropriation for the year ending June 30, 1853, will probably be found necessary when the receipts of the first two quarters of the fiscal year are fully ascertained.

In his last annual report, the Postmaster-General recommended a reduction of postage to rates which he deemed as low as could be prudently adopted, unless Congress was prepared to appropriate from the Treasury, for the support of the department, a sum more than equivalent to the mail services performed by it for the Government. The recommendations of the Postmaster-General, in respect to the letter postage, except on letters from and to California and Oregon, were substantially adopted by the last Congress. He now recommends adherence to the present letter rates, and advises against a further reduction until justified by the revenue of the department.

He also recommends that the rates of postage on printed matter be so revised as to render them more simple and more uniform in their operation upon all classes of printed matter. I submit the recommendations of the report to your favourable consideration.

The public statutes of The United States have now been accumulating for more than 60 years, and, interspersed with private Acts, are scattered through numerous volumes; and, from the cost of the whole, have become almost inaccessible to the great mass of the community. They also exhibit much of the incongruity and imperfection of hasty legislation. As it seems to be generally conceded that there is no "common law" of The United States to supply the defects of their legislation, it is most important that that legislation should be as perfect as possible, defining every power intended to be conferred, every crime intended to be made punishable, and prescribing the punishment to be inflicted. In addition to some particular cases spoken of more at length, the whole criminal code is now lamentably defective. Some offences are imperfectly described, and others are entirely omitted, so that flagrant crimes

may be committed with impunity. The scale of punishment is not in all cases graduated according to the degree and nature of the offence, and is often rendered more unequal by the different modes of imprisonment, or penitentiary confinement, in the different States.

Many laws of a permanent character have been introduced into Appropriation Bills, and it is often difficult to determine whether the particular clause expires with the temporary Act of which it is a part, or continues in force. It has also frequently happened that enactments and provisions of law have been introduced into Bills with the title or general subject of which they have little or no connection or relation. In this mode of legislation so many enactments have been heaped upon each other, and often with but little consideration, that, in many instances, it is difficult to search out and determine what is law.

The Government of The United States is emphatically a government of written laws. The Statute should, therefore, as far as practicable, not only be made accessible to all, but be expressed in language so plain and simple as to be understood by all, and arranged in such method as to give perspicuity to every subject. Many of the States have revised their public Acts with great and manifest benefit; and I recommend that provision be made by law for the appointment of a Commission to revise the public Statutes of The United States, arranging them in order, supplying deficiencies, correcting incongruities, simplifying their language, and reporting them to Congress for its action.

An Act of Congress, approved 30th September, 1850, contained a provision for the extension of the Capitol, according to such plan as might be approved by the President, and appropriated 100,000 dollars to be expended under his direction, by such architect as he should appoint to execute the same. On examining the various plans which had been submitted by different architects, in pursuance of an advertisement by a Committee of the Senate, no one was found to be entirely satisfactory, and it was therefore deemed advisable to combine and adopt the advantages of several.

The great object to be accomplished was to make such an addition as would afford ample and convenient halls for the deliberations of the 2 Houses of Congress, with sufficient accommodations for spectators, and suitable apartments for the committees and officers of the 2 branches of the Legislature. It was also desirable not to mar the harmony and beauty of the present structure, which, as a specimen of architecture, is so universally admired. Keeping these objects in view, I concluded to make the addition by wings, detached from the present building, yet connected with it by corridors. This mode of enlargement will leave the present Capitol uninjured, and

afford great advantages for ventilation and the admission of light, and will enable the work to progress without interrupting the deliberations of Congress. To carry this plan into effect, I have appointed an experienced and competent architect. The corner-stone was laid on the 4th day of July last with suitable ceremonies, since which time the work has advanced with commendable rapidity, and the foundations of both wings are now nearly complete.

I again commend to your favourable regard the interests of the district of Columbia, and deem it only necessary to remind you, that although its inhabitants have no voice in the choice of representatives in Congress, they are not the less entitled to a just and liberal consideration in your legislation. My opinions on this subject were more fully expressed in my last annual communication.

Other subjects were brought to the attention of Congress in my last annual message, to which I would respectfully refer. But there was one of more than ordinary interest, to which I again invite your special attention. I allude to the recommendation for the appointment of a commission to settle private claims against The United States. Justice to individuals, as well as to the Government, imperatively demands that some more convenient and expeditious mode than an appeal to Congress should be adopted.

It is deeply to be regretted that in several instances officers of the Government, in attempting to execute the law for the return of fugitives from labour, have been openly resisted, and their efforts frustrated and defeated by lawless and violent mobs; that in one case such resistance resulted in the death of an estimable citizen, and in others, serious injury ensued to those officers and to individuals who were using their endeavours to sustain the laws. Prosecutions have been instituted against the alleged offenders, so far as they could be identified, and are still pending. I have regarded it as my duty, in these cases, to give all aid legally in my power to the enforcement of the laws, and I shall continue to do so wherever and whenever their execution may be resisted.

The Act of Congress for the return of fugitives from labour is one required and demanded by the express words of the Constitution.

The Constitution declares: "That no person held to service or labour in one State, under the laws thereof, escaping into another, shall, in consequence of any law or regulation therein, be discharged from such service or labour, but shall be delivered up on claim of the party to whom such service or labour may be due." This constitutional provision is equally obligatory upon the legislative, the executive, and judicial departments of the Government, and upon every citizen of The United States.

Congress, however, must, from necessity, first act upon the

subject, by prescribing the proceedings necessary to ascertain that the person is a fugitive, and the means to be used for his restoration to the claimant. This was done by an Act passed during the first term of President Washington, which was amended by that enacted by the last Congress, and it now remains for the executive and judicial departments to take care that these laws be faithfully executed. This injunction of the Constitution is as peremptory and as binding as any other ; it stands exactly on the same foundation as that clause which provides for the return of fugitives from justice, or that which declares that no bill of attainder, or *ex post facto* law shall be passed, or that which provides for an equality of taxation according to the census, or the clause declaring that all duties shall be uniform throughout The United States, or the important provision, that the trial of all crimes shall be by jury. These several articles and clauses of the Constitution, all resting on the same authority, must stand or fall together. Some objections have been urged against the details of the Act for the return of fugitives from labour ; but it is worthy of remark, that the main opposition is aimed against the Constitution itself, and proceeds from persons, and classes of persons, many of whom declare their wish to see that Constitution overturned. They avow their hostility to any law which shall give full and practical effect to this requirement of the Constitution. Fortunately, the number of these persons is comparatively small, and is believed to be daily diminishing, but the issue which they present is one which involves the supremacy, and even the existence of the Constitution.

Cases have heretofore arisen in which individuals have denied the binding authority of Acts of Congress, and even States have proposed to nullify such Acts upon the ground that the Constitution was the supreme law of the land, and that those Acts of Congress were repugnant to that instrument ; but nullification is now aimed, not so much against particular laws as being inconsistent with the Constitution, as against the Constitution itself ; and it is not to be disguised that a spirit exists, and has been actively at work to rend asunder this Union, which is our cherished inheritance from our revolutionary fathers.

In my last annual message I stated that I considered the series of measures, which had been adopted at the previous session, in reference to the agitation growing out of the territorial and slavery questions, as a final settlement in principle and substance of the dangerous and exciting subjects which they embraced ; and I recommended adherence to the adjustment established by those measures, until time and experience should demonstrate the necessity of further legislation to guard against evasion or abuse. I was not induced to make this recommendation because I thought those measures

perfect, for no human legislation can be perfect. Wide differences and jarring opinions can only be reconciled by yielding something on all sides, and this result had been reached after an angry conflict of many months, in which one part of the country was arrayed against another, and violent convulsion seemed to be imminent. Looking at the interests of the whole country, I felt it to be my duty to seize upon this compromise as the best that could be obtained amid conflicting interests, and to insist upon it as a final settlement, to be adhered to by all who value the peace and welfare of the country. A year has now elapsed since that recommendation was made. To that recommendation I still adhere, and I congratulate you and the country upon the general acquiescence in these measures of peace which has been exhibited in all parts of the republic. And not only is there this general acquiescence in these measures, but the spirit of conciliation which has been manifested in regard to them in all parts of the country has removed doubts and uncertainties in the minds of thousands of good men concerning the durability of our popular institutions, and given renewed assurance that our liberty and our Union may subsist together for the benefit of this and all succeeding generations.

MILLARD FILLMORE.

Washington, December 2, 1851.

*REPORT of the Secretary of War to the President of The
United States.—November 29, 1851.*

SIR, *War Department, Washington, November 29, 1851.*

I BEG leave to submit the following report of the operations of this department during the year that has just expired.

The subject which has most engaged the attention of the department has been the defence of Texas, New Mexico, and the Mexican territory adjacent to our own, against the incursions of the neighbouring Indian tribes.

In my last annual report, I briefly adverted to the nature of these incursions. Unlike their race in this part of the continent, these tribes are actuated not so much by hostility to the whites as by motives of plunder. Accustomed, from time immemorial, to carry on a predatory warfare against the Spanish settlements in their vicinity, they submit with reluctance to the efforts of a new and more powerful race to put a stop to their incursions. The character of the country, which affords wonderful facilities to escape, and presents almost insurmountable barriers to pursuit, is wonderfully

adapted to these marauding expeditions. As infantry is of little use in a service which consists principally in pursuing small parties, who are always mounted, I recommended in my last report the raising of an additional mounted regiment, equipped with special reference to this service. Congress not having adopted this recommendation, all that remained for the department to do was to make such a disposition of the force at its disposal as would most effectually protect our own territory, and fulfil our Treaty obligations to Mexico. Accordingly, prompt measures were taken to concentrate, on the confines of Texas and New Mexico, as many of the troops adapted to this service as could be spared from other quarters.

The Indians in California and Oregon having always appeared of an unwarlike character, and disposed to cultivate the good will of the whites, it was thought that the services of the regiment of mounted riflemen might be dispensed with on the Pacific. It was therefore ordered to Texas. Brevet Major-General Smith, its commander, was put in command of the 8th military department, and Brevet Brigadier-General Hitchcock was ordered to succeed him in the command of the Pacific Division.

In the interval of several months which elapsed between the death of Brevet Major-General Brooke and the arrival of Brevet Major-General Smith in Texas, the command of that department devolved on Brevet Brigadier-General Harney—during which time this officer displayed his accustomed activity in arresting the incursions of the Indians, and the good effect of the measures adopted by him, are already discernible in the comparative tranquillity which that section of the country has for some time past enjoyed.

Some of the fiercest and most insolent of the tribes in all that region occupy the northern portion of Texas, where the streams that flow into the Mississippi, as well as those that empty themselves directly into the Gulf, find their sources. From this region these tribes make frequent forays, not only into Texas and New Mexico, but across the Rio Grande into the Mexican territory, with the double object of overawing these tribes, and of affording protection to such emigrants as may take that route to Texas, New Mexico, or California, I deemed it advisable to establish a chain of military posts on that frontier. For this purpose the 5th regiment of infantry (which was already stationed high up the Red River and the Arkansas) was ordered to advance further into the interior and to establish a chain of posts extending in a western direction and following as nearly as practicable the route called (from the name of the officer who traced it) "Marcy's route."

The 7th regiment of infantry was ordered from Jefferson barracks to occupy the stations abandoned by the 5th.

In New Mexico, the Indians had become so bold as to commit

their depredations within a few miles of the military posts, and, I regret to say, that in no instance was their audacity chastised. To remedy, if possible, this state of things, Brevet Colonel Sumner was ordered to the command of that department.

He arrived at Santa Fé in the month of July last, and his first step was to make a new, and, it is believed, a more judicious arrangement of the military posts. His next was to set out with a portion of his command on an expedition into the country of the Navajos, a powerful tribe which has long spread terror, not only in Texas and New Mexico, but even in the State of Sonora. The result of this expedition is not yet known, but if he should accomplish no more than to establish a military post among them, and retaliate upon them by capturing their herds and destroying their fields, the expedition will not have been fruitless.

Experience has shown that the most effectual way to protect our settlements is to overawe the Indians by a constant display of military force in their immediate neighbourhood; for this reason, as well as on account of the demoralizing influence of the towns and villages on the troops, the commanding officers both in Texas and New Mexico were directed to remove the stations as near the frontiers as circumstances would permit. Both these officers have, with their accustomed promptitude, taken steps to carry this measure into effect, and made an entirely new arrangement of posts, looking, as far as practicable, alike to the defence of our own territory and that of Mexico. Strong hopes are entertained that, when their plans shall have been fully developed, the Indians will be disposed to make Treaties and to observe them.

The United States have thus endeavored to fulfil to their fullest extent the obligations imposed upon them by their late Treaty with Mexico. It surely was never contemplated that the entire expense and responsibility of defending her territory against these incursions should devolve upon us. The language of the Treaty admits of no such construction, and if it did, it would require of us what it would be obviously impossible for us to perform. As The United States have no right to station their troops within the limits of Mexico, how is it possible for them entirely to protect her against tribes, most of whom occupy the vast desert lying between the 2 countries? All that we can do is to make common cause with her; to make her wrongs our own; to chastise, if possible, the tribes by whom they are committed; to compel them, whenever it is possible to do so, to make restitution of Mexican prisoners and property; and, finally, in our Treaties with them, to guard the interests of Mexican citizens as carefully as those of our own, and to punish any violation of the one as severely as we do that of the other. It is manifest, too, that whatever efforts we may make for the protection of Mexico, will not

only be fruitless but absolutely prejudicial, unless they are aided by corresponding efforts on her part. The number of our military posts, the vigilance, activity, and courage of our troops, all tend to drive these marauders from our border towards that of Mexico, where they can carry on their depredations with almost certain impunity.

The difference in the character of the inhabitants of the 2 countries also tends to the same result. Our people are all familiar with the use of arms, and readily form themselves into militia companies for their own defence. It was this circumstance, joined with a native hardihood of character, that enabled the pioneers of all our States to subdue tribes far more formidable than the robber bands that infest the frontiers of Mexico. The inhabitants of Mexico, on the contrary, have little skill in fire-arms, nothing that deserves the name of a militia, and little of that daring intrepidity which distinguished the early settlers of our own country. It is not surprising, therefore, that the Indians stand less in awe of the Mexicans than they do of our people, and that, where both countries present equal temptations to plunder, they should direct their incursions towards the former rather than the latter.

It is not improbable, also, that the feebleness of the federal authority in Mexico, the distracted state of that republic, and the civil contests that have so long divided her people, may impair her influence among savages who know no right but power, and no motive but the fear of its exercise.

The portion of Mexico which is said to have suffered more from these depredations, is the State of Sonora. Between that State and the inhabited portions of Texas and New Mexico, there is an extensive range of mountain and desert for the most part uninhabitable, and, at certain seasons of the year, almost impassable. To send, therefore, to that frontier a sufficient force to afford it any effectual protection, and to maintain it there, would be attended with difficulties almost insuperable. A post, however, has been established at the junction of the Gila and the Colorado, and the commander of the Pacific division has been directed to examine whether it would not be practicable and expedient to establish one or more posts higher up the Gila. His report on that subject has not yet been received. It has been fully ascertained, however, that to maintain even an inconsiderable force in that region would be attended with an enormous expense.

These depredations in Sonora are committed chiefly by the Apaches and Navajos, the same tribes that are the most troublesome in Texas and New Mexico. The troops employed in the defence of our own settlements are, therefore, indirectly aiding in the defence of Sonora; for if we can succeed in compelling these tribes to make

Treaties and to fulfil them, the measure will be as conducive to the protection of the Mexican territory as of our own.

It must not, however, be supposed that the Indians that infest the Mexican settlements all reside within our limits. It is difficult to assign any definite boundaries to wandering tribes who subsist almost entirely by the chase, or on herds of cattle which they drive before them in their migrations, but it is well known that some of them have their habitual haunts within the limits of Mexico.

There are strong reasons, too, to believe that the vague rumours that have reached this country of ravages committed by Indians in the Mexican States have been grossly exaggerated, and sometimes entirely fabricated. An idea seems to have gone abroad among the people of that country, that this Government was bound, by its Treaty with Mexico, to indemnify citizens of that country who might sustain losses by depredations of the Indians, and from information that has reached the Department there can be no doubt that, in some instances, tales of depredations have been invented with a view of bringing fictitious claims for damages against the Government.

The Indians, west of the Rocky Mountains, are represented to be less warlike in character than those on the eastern side of the continent, and until recently, had manifested no unfriendly feelings towards the white settlers in their neighbourhood. Several outbreaks however have, within a few months past, occurred both in California and Oregon. There is reason to believe that, in some instances, the Indians have been goaded on to these acts of hostility by the conduct of our own people. Treaties have recently been made with some of these tribes, which, if they are faithfully observed on our part, and if the white inhabitants are compelled to respect the boundaries of the territory assigned to them, will go far towards reconciling this unfortunate race to their fate, and preventing future outbreaks. I recommend, therefore, that the laws respecting intercourse with the Indians and encroachments on their lands be rigidly enforced, and, if necessary, more stringent enactments be passed for that purpose.

It would not be safe, however, to rely on any pacific policy, however wise and just, for the protection of our fellow-citizens in that remote region. Since the withdrawal of the regiment of mounted riflemen, the military force in the Pacific is extremely small. By the returns of the Adjutant-General, appended to the report of the General-in-Chief, it appears that the entire force stationed on the Pacific amounted at the last return, to only 736 men. This force is deemed entirely inadequate for the protection of the inhabitants, particularly of Oregon. The Governor of that territory has represented this fact, and has urged an increase of the force stationed

within it. The means now at the disposal of the Department do not enable it to comply with this demand.

In my last annual report I recommended the creation of a new regiment of mounted men. The withdrawal of the regiment of mounted riflemen from the Pacific has, to some extent, diminished the necessity of creating an additional regiment of that description of force, as that country is not peculiarly adapted to cavalry, and its place may well be supplied by infantry. Nevertheless, by the report of the General-in-Chief, it will be seen that he considers not only this additional regiment of cavalry, but also an increase in the rank and file of the infantry and artillery as indispensably necessary. While I feel some hesitation in urging upon Congress any addition to the force on the frontier, where the support of troops is attended with such enormous expense, I cannot but acknowledge the force of his remarks and the weight that is due to his recommendation. I hope, therefore, that the matter will be submitted to Congress.

The entire number of men borne on the rolls amounts to 10,538, which, according to the usual estimate, will furnish an effective force of not more than 8,500 men. When it is considered that this small force is scattered over a frontier of several thousands of miles in extent its insufficiency will be apparent.

In my last annual report, I adverted to the enormous increase in the expense of supporting the army, and to the causes that produced it. These causes are principally,

1st. That, as has been already stated, more than one-half of the whole army is stationed on our remote frontier, and so far as expenses are concerned, may be considered as in active service in time of war.

2nd. That the military posts on the frontier were formerly on or near navigable rivers, but now, on the contrary, are either far in the interior of the country or on the Pacific, and, consequently, can only be reached by an overland journey of hundreds of miles, or by a sea voyage of several thousand.

The following is a list of what were our most remote posts in 1845, and their respective distances from navigation.

Fort Snelling, accessible by steamboats.

Fort Leavenworth, accessible by steamboats.

Fort Wilkins, accessible by steamboats.

Fort Gibson, accessible by steamboats.

Fort Smith, accessible by steamboats.

Fort Jessup, 24 miles from steamboat navigation, by waggons.

Fort Atkinson, 24 miles from steamboat navigation, by waggons.

Fort Towson, 6 miles from steamboat navigation, by waggons.

Fort Washita, 86 miles from steamboat navigation, by waggons.

Fort Scott, 90 miles from steamboat navigation, by waggons.

Compare this list with that of some of the most remote posts at the present time.

Indianola, now the depôt for the greater part of the posts in Texas, and some of those in New Mexico, is 540 miles by water, from New Orleans; from this depôt it is by waggons, to Fort Worth, 420 miles; to El Paso, 803 miles; to Donna Aña, 859 miles; to the post at the copper mines, 979 miles.

Fort Towson and Fort Smith, both depending upon New Orleans, are the frontier depôts for the posts on the north line of Texas; the transportation by waggons is, from Fort Towson to Fort Belknap, 302 miles; from Fort Smith to Fort Arbuckle, 167 miles.

Fort Leavenworth, 420 miles from St. Louis, by water, is the frontier depôt for the posts on the Santa Fé and Oregon routes. Thence it is by waggons:—To Fort Laramie, 637 miles; to Fort Union, 728 miles; to Santa Fé, 821 miles; to Socorro, 981 miles; to San Juan, 1,048 miles.

From St. Louis to Fort Snelling, by water, is 725 miles, and thence to Fort Ripley, by waggons, 125 miles.

From St. Louis to Keokuk, by water, 179 miles, and thence to Fort Dodge, by waggons, 280 miles.

A large portion of the supplies for the posts on the Pacific are drawn from the Atlantic States.

3rd. The frontier posts, as may be seen by the foregoing list, were then situated in the midst of a fertile and productive country, where nearly all the supplies for the troops could be procured. Now, on the contrary, they are, for the most part, in one of the most unproductive regions in the world, which furnishes but a small portion of the necessary supplies for an army. Those supplies must, therefore, all be drawn from the older States and transported immense distances. The consequence is that, while in 1845 the cost of transportation (of troops and supplies) was 130,053 dollars, in 1850–1851 it amounted to 2,094,408 dollars. In the former the cost of forage was 99,794 dollars, in the latter it was 1,287,327 dollars. The great increase in this last item arises not only from the causes just mentioned, but also from the great increase of animals in the Quartermaster's Department, which in 1845 amounted only to 847, and in 1850–51 to upwards of 8,000; and also to the fact that the mounted force has been greatly increased.

4th. The great distance which troops have now to be transported in going to and from the several posts.

This is a very important item. Owing to the smallness of our army, changes of station are very frequent and instead of being made, as they formerly were, by water, they are now made by land. When it is recollected what a vast amount of transportation is necessary for an army on a long march, when not only their baggage

but supplies of every kind (including provisions for their daily consumption,) must be carried with them, some idea may be formed of the expense attending these changes of station. The above facts will serve, in some degree, to explain the great increase that has taken place in the expenditure of that Department. For fuller explanations on this subject, I refer to the accompanying report of the Quartermaster-General.

It is probable, however, that in some instances, the expenditures both of the Quartermaster's and the Commissary Departments may have been increased by mal-administration. The transactions of both these departments involve such a variety of details, and their agents are so far removed from the supervision of their chiefs, that abuses may exist a long time before they are discovered. Every effort, however, has been used to detect these abuses, and to prevent their recurrence. Inspectors have been sent to the frontiers to inquire into the manner in which the affairs of these departments are administered, and a rigid scrutiny into accounts has been ordered. I regret to say, that the Department has some reasons to fear that its apprehensions on this subject were not altogether without foundation.

From statements carefully prepared by the different bureaus of this Department, it appears that the increased expenditures in the army, resulting from our newly-acquired territory (including Texas) amounted to 4,556,709 dollars.

Congress, at their last session, omitted to provide for a deficiency which was ascertained to exist in the appropriations for the Quartermaster's Department for the year ending 30th June last. Serious embarrassment would have resulted to the service from this omission, had there not existed some unexpended balances of former appropriations, which, under the Act of August 26, 1842, were transferred to the Quartermaster's Department. Congress also reduced all the items of appropriations but one, for the same Department, for the current fiscal year ending 30th June next, 50 per cent. below the estimates; the consequence of which is, that the appropriations for that department are entirely inadequate to its wants, and that Congress will be called upon, at an early period, to supply the deficiency.

Congress having clearly manifested a determination to reduce, as far as possible, the expenditures of the army, I felt it my duty, as far as was practicable, to carry their views into effect. I have accordingly laboured to reform abuses, to enforce rigidly all regulations looking to economy, and to retrench every unnecessary expense. I will enumerate some of the measures adopted for this purpose :

The number of enlisted men in the Ordnance Department prior to the late war, amounted to 250 men, but during the war it was

increased to 587 men. By an order of the department they were reduced to their original number.

Prior to the late war there were only 4 light artillery companies; after the war broke out, 4 more of the artillery companies were converted into light artillery, making, in all, 8 companies. This description of troops, although extremely effective in a regular war, are utterly useless in the kind of service in which the army is now employed. The department did not hesitate, therefore, to direct that 6 of these companies should be dismounted. Of this number, 4 will continue dismounted, unless Congress should otherwise direct; but as it is deemed important to preserve a portion of this description of force, the 2 remaining companies will be remounted as soon as the department is provided with the means of doing so. This will make, in all, 4 companies, or one to each of the regiments of artillery, which seems to have been contemplated by the Act of 1821.

A number of persons from civil life are employed in the service in various capacities, such as clerks, &c. An order was issued whereby their number has been greatly reduced, and their duties required to be performed by officers and soldiers.

An order was issued last spring, that at all the permanent posts on the frontier, where it was practicable, farms should be established, to be cultivated by the troops. Sufficient time has not yet elapsed to ascertain the result of the experiment. If it should prove successful, it will not only effect a considerable reduction of expenses in the Quartermaster's and Commissary's Departments, but will greatly promote the health and comfort of the troops.

Besides these measures, various others, which it is needless to enumerate, have been adopted with a view to promote economy, and to insure fidelity and attention on the part of disbursing officers.

The fact is not to be disguised, that a great laxity of expense, and a disregard of the regulations looking to economy, had become somewhat prevalent in the army. The department has exerted itself to remedy this evil, and is gratified to say, that in all its efforts for this purpose it has received the aid and zealous co-operation of the superior officers. The effect of the measures it has adopted for this purpose is already discernible in a considerable reduction of the expenditures; and I have the satisfaction to announce that the estimates of the department, for the next fiscal year, are considerably below the expenditures of the present and preceding years.

The expenditures for the support of the army, for				<i>Dollars.</i>
the fiscal year ending 30 June last, were ..				9,060,268 58
The estimates for the next year are				7,898,775 83
Showing a reduction of				<hr/> 1,161,492 75
There are some other measures of economy which the department				

would have carried out, had the aid of legislation not been necessary to enable it to do so.

A number of arsenals have from time to time been established at points where they were then needed, but where, in consequence of the extension of our frontier and the vastly increased facilities of transportation, they are now entirely useless. As it is doubtful whether it be competent for the executive to abolish these establishments, it is desirable that this authority be vested in it by law.

In my last report I recommended that the department should be authorised to enlist men especially as teamsters, and stated, at length, my reasons for this recommendation. Further experience confirms me in the opinion that this mode of obtaining the aid of this indispensable class of persons (of whom 500 or 600 are constantly employed by the Quartermaster's Department) is far preferable to the plan now resorted to, of employing them sometimes at enormous wages. It has been suggested, however, that instead of enlisting men especially as teamsters, it would be better to increase the number of privates in each company on the frontier to 100, and to authorize the allowance of a higher rate of pay to such of them as should be detailed as teamsters. This arrangement would enable the officer in command to use them either as teamsters or as soldiers as circumstances might require.

The removal of the obstructions to the navigation of Red River and of the Rio Grande, would greatly reduce the expense of supplying many of the posts in Texas and New Mexico, by diminishing the amount of land transportation. I have little doubt that the amount that the Government would save by means of this improvement in 2 or 3 years would defray the cost of the work.

But whatever efforts may be made, either by Congress or by the department, to curtail the expenditures of the army, they must continue to be enormous so long as it is necessary that so large a portion of it should be stationed on the frontier. The history of the world affords no instance of an army being permanently stationed at so great a distance from the main source of its supplies. It is evident, therefore, that Congress should resort to every means to diminish the necessity of regular troops for the defence of the frontiers. Permit me to offer a few suggestions on this point, though they do not immediately relate to the operations of this department.

In the first place, I would suggest that every facility and encouragement should be afforded to the formation of a local militia, in which our new possessions, like all the Mexican States, are very deficient. As the first step towards the accomplishment of this object, I would recommend that the executive be authorized to distribute arms among the inhabitants. I am fully persuaded that the advantages that would result from the adoption of this measure

in familiarizing the people with the use of arms, in inspiring them with confidence, and in encouraging the formation of militia companies, would more than compensate for the trifling expense that would attend it. The very fact that the inhabitants were known to be armed would tend to intimidate the Indians. The distribution should of course be made with such precautions as would prevent their being sold or converted to an improper use.

The quantity of arms to which the new States and territories are respectively entitled under the Act of 1808 is so small as to be of no practical advantage, and as they have not participated in the issues heretofore made, it would seem to be but just that they should now receive more than their distributive share. At all events they might be permitted to receive their quota for several years in advance. As the arms are lying idle at the depôts, no loss to the Government would result from this course, and they will probably be never more needed than they are at present.

In the next place, policy and humanity both require that we should employ some other means of putting a stop to these depredations than the terror of our arms; we should try the effect of conciliatory measures: There is no doubt that the Indians are frequently impelled to commit depredations by despair and hunger. As the white population has advanced upon them, they have been compelled to recede before it. The lands that afford nourishment to cattle and game are also the best adapted to cultivation, and, consequently, the first to tempt the settler; so that the Indians are compelled to take refuge in arid plains and mountains that afford little sustenance to animal life, and even there the circle of white population seems rapidly closing around them. This is particularly the case in Texas. The United States, as the owners of the public domain, have always acted on the principle that the aboriginal race had, at least, a right of occupancy in the soil, and when it was needed for settlement, this right has been extinguished by voluntary sale. Texas, on the contrary, as the owner of all the vacant land within her limits, acknowledges, it is said, no such right, and she has from time to time taken possession of the territory occupied by the Indians—laid it off into counties, and proceeded to survey and sell it. Nothing could be more calculated to alarm and exasperate the Indians and to bring about collisions between them and the white settlers, than the adoption of this policy. That such has been and must continue to be its consequence, there can be no doubt. It would seem, therefore, to be for the advantage both of Texas herself, and of The United States, that these Indians should be left in undisturbed possession of a small portion of her vast territory.

I would also recommend that measures be taken to furnish, for a series of years, food and other necessities to such Indians as will

abandon their predatory habits and cultivate the soil. Authentic information, recently received at this Department, leads to the belief that these tribes are far less numerous than they are generally supposed to be, and I have no doubt (laying aside considerations of humanity) that it would be far less expensive to feed than to fight them.

During the last summer, the Florida Indians voluntarily surrendered up to the agent stationed among them, 3 of their people who had murdered the youth mentioned in my last report. The Secretary of the Interior, considering this act as an evidence of their desire to remain at peace with the whites, suggested that there was no longer any reason for their continuing under the charge of this Department; and upon his demand, they were placed in the charge of the Department over which he presides.

I took occasion, during the last summer, to visit the Military Academy, and am enabled, from personal observation, to bear testimony to the admirable method of instruction pursued, and the excellent discipline that prevails at this most useful institution. A building, in which lessons in horsemanship could be given, when the weather will not admit of this exercise in the open air, would greatly conduce both to the health and the improvement of the cadets.

I also visited the National Armories at Springfield and Harper's Ferry, and I cannot speak in terms of too high praise of the order and regularity that prevail at those establishments, and of the admirable economy with which they are conducted.

The operations of the Bureau of Topographical Engineers have been various and important during the last year.

The survey of the northern lakes, a work of which the importance can hardly be estimated, has been prosecuted with great activity, and it would have advanced still more rapidly had the appropriations for that object admitted it. With a view to hasten the completion of the work, the estimates for it for the next year have been increased.

The survey of the creek boundary from the frontiers of Arkansas to nearly the one-hundredth degree of longitude west, and that of a route for a road from St. Louis to the great bend of Red River, have been completed and are ready to be laid before Congress.

The expedition to the Salt Lake of the territory of Utah has also returned. The report which, by a resolution of the Senate at the last session, was ordered to be printed, will be ready for delivery during the approaching session.

The expedition under Brevet Captain Sitgreaves, mentioned in my last annual report, from Santa Fé to the head-waters of the Zuni, and down that river to its mouth, is still in the field.

The survey of the delta of the Mississippi, with a view to the prevention of overflows, for which an appropriation was made the session preceding the last, has been nearly completed. One of the gentlemen charged with this highly important work has made his report. That of the other has been delayed by his illness, but it is in course of preparation, and as soon as it is received, both reports will be laid before you.

In consequence of the numerous demands made on the corps of Topographical Engineers, not only for the duties that properly devolve on it, but to meet the demands of other Departments under whose charge surveys are made, the head of that corps strongly urges that the number of the officers of that corps be increased. The remarks on this subject, contained in his report, which is hereto appended, are entitled to, and I hope will receive your attention.

I beg leave, also, to call your attention to the laws organizing the Subsistence Department. It was the intention of Congress that this branch of the staff should consist of a fixed number of officers, who should be regularly appointed by the President, and should give bonds before entering upon the discharge of their duties. This plan, however, has never been fully carried into effect. The number of assistant commissaries was limited by the Act of 1821 to 50, but this number being found insufficient, several laws, subsequently passed, were so construed as to dispense with the limitation, and occasionally thrice that number have been in service. Notwithstanding this great increase, it not unfrequently happens that, by changes in the distribution of the troops, a post or detachment is left without any assistant commissary, in which case it is the practice for the commanding officer to designate some subaltern officer as Acting Assistant Commissary.

As the posts where these officers are stationed are frequently very remote, it often happens that the assistant and acting assistant commissaries are in the actual discharge of their duties, and entrusted with money and property for a long time before they can receive regular appointments and furnish bonds. The consequences of this mode of transacting the business of the Subsistence Department are, that its highly important duties must often devolve on young and very inexperienced officers, that large sums of money and property of great value frequently pass into the hands of officers who have furnished no bonds, and finally great confusion in accounts, and consequent embarrassment and delay in their settlement. I know no other mode of remedying these evils than by appointing a few additional commissaries so as to enable the Department to send several to the different military departments on the frontier, and to assign to each one the charge of a certain number of posts. Some of the assistant commissaries could thus be dispensed with, and

the accounts and transactions of the remainder placed under more immediate and strict supervision. This plan would not be more expensive than that now pursued and would afford better guarantees for the faithful and efficient discharge of the duties of those officers.

The Board to whom the management of the military asylum for disabled and destitute soldiers, established at the last session of Congress, was committed, have devoted a great deal of time and attention to the selection of suitable sites. They have determined on one in the vicinity of this city, the terms of the purchase have been agreed on, and as soon as the titles shall have been examined and approved, the agreement will be carried into effect.

I beg leave, again, to suggest the expediency of creating a retired list of disabled officers. Further observation has confirmed me in the opinion that this measure would conduce both to the efficiency and the economy of the service.

By the Act of 28th September, 1850, making appropriations for the support of the army, a small additional pay was allowed to the officers and soldiers stationed in California and Oregon. That provision expires by its own limitation on the 1st March next. The reasons for its adoption still exist, and I recommend that it be continued in force, and that it include also New Mexico, where these reasons apply with at least equal force.

The Act of 1808, providing for arming and equipping the whole body of the militia, directs that the distribution of arms provided for by that Act among the states and territories, should be based upon the number of their "effective militia." As the Act specifies no mode in which this number shall be ascertained, each State and territory adopts a method of its own. The consequence is, that some States make very imperfect returns, and some no returns at all, whereby the law is rendered unequal in its operation. This inequality might be prevented and some unnecessary trouble and expense saved, by simply declaring that the number of free white male inhabitants over the age of——years and under that of——years in the respective States and territories, as shown by the latest census, shall hereafter be the basis of distribution.

Respectfully submitted.

C. M. CONRAD.

The President of The United States.

REPORT of the Secretary of the Navy to the President of The United States.—November 29, 1851.

SIR, *Navy Department, November 29, 1851.*

THE following is the annual report of the public service under the supervision of this Department.

The former organization of the vessels employed in active service on the ocean, into 6 separate squadrons, has still been continued.

The home squadron, yet under the command of Commodore Parker, consists of the steam-frigate *Saranac*, Commander Prendergast, bearing the broad pennant of the Commodore; the sloop-of-war *Albany*, Commander Platt; the sloop *Decatur*, Commander Green; the sloop *Cyane*, Commander Paine; and the steamer *Vixen*, Lieutenant-Commanding Smith. The vessels of this squadron have been engaged in cruising among the West India Islands, and along the coast of the Carribean sea and of the Gulf of Mexico.

The commander of this squadron having been ordered to the north on special service, was not in position to prevent the late illegal and disastrous expedition from the port of New Orleans against the Island of Cuba; but, hastening thither under the orders of the Department, he was commendably active in preventing any repetition of the offence, whilst at the same time affording protection to American interests in that quarter, and giving assurance that The United States would in good faith observe their Treaty obligations and the law of nations.

Commander Platt, commanding the *Albany*, which happened to be in the port of Havana when the expedition landed, deserves, also, the commendation of the Department for the propriety and delicacy with which he acquitted himself in the trying duties of his command; for his vigilance and industry in procuring and transmitting early and correct information of the progress of events in the island; and his humanity in visiting and interceding for the deluded persons, who, in violation of the laws of their country, had been induced to embark in an adventure of such serious consequence. These occurrences at the south detained the vessels of this squadron from a cruise to its northern limits, which was commenced and proceeded in, as far as Havana, when the invasion of Cuba took place.

The Mediterranean squadron, Commodore Morgan commanding, consisted of the flag-ship, the razee *Independence*, Captain Jamesson; the steam-frigate *Mississippi*, Captain Long; and the frigate *Cumberland*, Captain Latimer.

In June the latter vessel returned, by order of the Department, to The United States, and upon her arrival the officers were detached, and the crew discharged. Since that time the *Independence*, with the Commander-in-Chief on board, has visited Trieste, and other ports within his command, and the *Mississippi* has been generally employed in active cruising.

In compliance with a resolution of Congress to that effect, orders were in due season sent to the commander of the squadron, directing this vessel to be held in readiness to proceed to the coast of Turkey, and receive on board the distinguished Hungarian, Governor Kos-

suth, and his associates in exile, and convey them to The United States so soon as information should be received from the American Minister at Constantinople that they had obtained the Sultan's permission to embark. She accordingly took on board at the Dardanelles, in September, the illustrious exile and his family and party, in number 60 persons, and brought them, on the homeward voyage, to Gibraltar. Here Governor Kossuth, having determined to visit England, took passage in a mail steamer for that country, intending to come thence, by a like conveyance, to The United States; and the *Mississippi* sailed, with the remainder of her passengers, direct to New York, where she arrived early in November.

The *Independence* being the only vessel remaining in the Mediterranean, and from her large draught unsuited for winter cruising in that sea, this consideration, together with the fact that the enlistment of her crew and the term of the Commander of the squadron will expire in the ensuing spring, induced the Department to recall her also; and orders to that effect were despatched in October.

The new steam-frigate *San Jacinto*, destined for the squadron on the coast of Brazil, is preparing with all practicable expedition for sea, and will sail in a few days for the Mediterranean to watch over our interests in that quarter, until the arrival of a new squadron early in the spring.

The squadron on the coast of Africa continued under the command of Commodore Gregory until the month of May, when, after an energetic and efficient service on that station, he was relieved, and it was transferred to Commodore Lavalette.

The squadron comprises the sloop-of-war *Germantown*, the flagship of the squadron, Commander Nicholas; the sloop *Dale*, Commander Pearson; the sloop *John Adams*, Commander Barron; the brig *Perry*, Lieutenant Commanding Foote; the brig *Porpoise*, Lieutenant-Commanding Lardner.

These vessels have been assiduously employed in the duties of their cruize; and the observation of another year justifies the conclusion expressed in my last annual report, that the vigilance and activity of this squadron, together with that of Great Britain, have suppressed the slave-trade on the west coast of Africa, and that it is now carried on only on the south coast, more than 1000 miles distant from the station at the Cape de Verd Islands, established and maintained since the conclusion of the Treaty of Washington, in the year 1842.

This result has led to the consideration of the expediency of removing the depôt of supplies for the squadron down the coast, to St. Paul de Loando, or other point on the southern coast; but since the inhibition by Brazil of the African slave-trade among her sub-

jects, it is doubtful whether it is necessary to continue this squadron as a permanent force, anywhere along the African shore; and it is accordingly proposed that notice be given to the British Government of the termination, on our part, of the VIIIth Article of the Treaty above mentioned, as therein provided. It is believed that Brazil and the Spanish West India Islands are the only countries to which slaves have been imported, in any considerable numbers, for many years past; and by strengthening the squadron on the coast of Brazil, and requiring of its vessels periodical visits to the coast of Africa, the traffic can probably be more effectually checked, than by keeping up the squadron on the African coast; while in regard to the Spanish West Indies, the vessels of the home squadron will suffice to prevent the use of our flag for its protection among them.

The climate of the African shores is notoriously insalubrious, and the health and comfort of the officers and crews would be greatly promoted by the change proposed.

The squadron on the coast of Brazil, Commodore McKeever still being in command, consists of the frigate *Congress*, the flag-ship of the squadron, Captain McIntosh; the sloop-of-war *Jamestown*, Captain Downing; the brig *Bainbridge*, Lieutenant Commanding Manning; and the store-ship *Relief*, Lieutenant Commanding Thatcher. Orders, however, have been despatched, directing the *Bainbridge* to relieve the brig *Perry* in the African squadron, which, owing to the approaching termination of the enlistment of her crew, has been ordered to return to The United States.

The general duties assigned to this squadron, in giving protection to our commerce and interests between the mouth of the Amazon river and Cape Horn; in preventing the use of the American flag to cover the African Slave Trade, and in enforcing our neutral rights and relations in the state of hostilities which have long prevailed between the Argentine Republic and the Banda Oriental, and more recently between the former and Brazil, appear to have been zealously and faithfully performed, and the reports of its commander are quite satisfactory.

The Pacific squadron, Commodore McCauley commanding, consists of his flag-ship the frigate *Raritan*, Commander McKean; the frigate *St. Lawrence*, Captain Dulaney; the sloops-of-war *St. Mary's*, Commander Magruder; *Vandalia*, Commander Gardner; *Falmouth*, Commander Pearson; *Vincennes*, Commander Hudson; *Portsmouth*, Commander Dornin; *Warren*, unseaworthy and used as a store-ship; the steamer *Massachusetts*, Lieutenant Commanding Knox; the store-ship *Lexington*, Lieutenant Commanding Radford; and the store-ship *Southampton*, Lieutenant Commanding Turner.

The frigate *Savannah*, Captain Page, recently returned from this station in consequence of the expiration of the time of service of her

crew, and the *Falmouth* is supposed to be likewise on her homeward voyage. These will be replaced, respectively, by the frigate *St. Lawrence* and the sloop-of-war *Portsmouth*, about to proceed to the Pacific.

The several vessels of this squadron have been constantly and usefully employed in appropriate service. The flag-ship and the *Vincennes* have visited the principal ports on the American coast from Oregon to Chili. The *Vandalia* has made several visits to the Sandwich Islands, at periods when the presence of a man-of-war was highly essential to our interests in that kingdom, and the *Falmouth* and *St. Mary's*, in addition to touching at ports on the main land and the Sandwich Islands, have extended their cruising to the Society, Marquesas and Fejee Islands.

The necessity of maintaining at all times an effective fleet in that ocean, and of adapting our naval laws and system to the new requirements of the service, in consequence of our settlements in California and Oregon, was urged in my last annual communication, and cannot too early engage the attention of Congress.

The squadron for the East India and China seas, Commodore Aulick commanding, comprehends his flag-ship the steam-frigate *Susquehanna*; the sloops-of-war *Plymouth*, Commander Kelly; *Saratoga*, Commander Walker; and *Marion*, Commander Glendy. The two vessels last named are on their station; the two former are on the voyage out. The *Marion* will be relieved on their arrival, and return home by way of the Cape of Good Hope, bringing, it is expected, valuable varieties of the seed or root of the sugar-cane, and also of the tea plant, collected under the orders of the department for distribution in the sections of our country adapted to their cultivation. The *Dolphin*, Lieutenant Commanding T. J. Page, which had been attached to this squadron, returned to The United States by way of Cape Horn in the month of June.

The *Susquehanna*, which is one of the new war-steamers built under the provisions of the Act of Congress of the 3rd of March, 1847, sailed from Norfolk in June last, by way of Rio de Janeiro, conveying to that place his Excellency M. Macedo, late Minister of the Emperor of Brazil to this country; the Honourable R. C. Schenck, United States Minister Plenipotentiary to Brazil; and the Honourable J. S. Pendleton, Chargé d'Affaires to the Argentine Republic. She arrived at Rio de Janeiro with some derangements in her machinery and equipments, but these were repaired without much delay; and when last heard from she was about to depart, by way of the Cape of Good Hope, for her ultimate destination.

A favourable impression for our interests and commerce is expected to be created in the peculiar countries of the East, by the

addition of this new and well-appointed steam-frigate to our squadron in that region.

The steamer *Michigan*, Commander Bullus, has continued to cruise on the upper lakes for the protection and assistance of our trading vessels on those waters, and has on several occasions furnished important assistance to the civil officers in arresting and bringing to justice combinations of persons charged with offences against the laws of The United States.

In this review of the sea service of our cruisers, I have the satisfaction to announce, that in all quarters of the globe their reception and treatment have been not only respectful, but cordial; and that not merely the interests of commerce, but international peace and friendship, are likely to be promoted by these visits of our armed vessels, and the display of our flag on foreign shores.

The expedition under Lieutenant Commanding De Haven, to the Arctic Seas, in search of the British Commander Sir John Franklin and his companions, returned to the port of New York in October, having discovered only supposed traces of the objects of which it was in quest, and leaving in entire uncertainty their actual fate. The vessels of the expedition proceeded in the direction where, in the opinion of the best informed officers, the missing navigators are to be sought, and on which the traces in question were found. Though failing in the main object of their search, Lieutenant De Haven and his officers verified, by their explorations, many facts before unknown to science, but indicated in the course of the investigations carried on at the naval observatory, concerning the winds and currents of the ocean, and to which reference was made in the instructions for the expedition.

In this expedition, the officers and men were all volunteers. In its prosecution they encountered the greatest dangers and hardships. To mention a single example, their vessels were caught by the ice and frozen up in the open sea. In this perilous situation they were confined for 9 months, and drifted to and fro in the ice for more than 1000 miles. By the skill of the officers, and the mercy of a superintending Providence, they were released from this cold imprisonment and restored to their country and friends,—not a man having been lost in the expedition. They have received no other pay than would have been their due on a cruise to Naples or the Levant, and I respectfully suggest that they be allowed the same pay and emoluments that were granted to those in like positions in the late exploring expedition to the South Seas.

Mr. Henry Grinnell, the owner of the vessels employed by Lieutenant De Haven, has generously offered them for another cruise in search of Sir John Franklin, should Congress think proper to authorize a second expedition.

The Act of Congress of March 3, 1849, authorized the employment of 3 small vessels of the navy in testing new routes on the ocean, pointed out by the Superintendent of the Observatory on his wind and current charts, and in collecting information to enable him to perfect these charts. After the return of the brig *Dolphin*, as already mentioned, she was fitted out and detailed on this service, under the command of Lieutenant S. P. Lee, an officer of great experience and intelligence as a surveyor and hydrographer, and interesting and valuable results are expected from the cruise.

At the instance of the executive committee of citizens of The United States, desiring to send forward specimens of the productions of American genius, skill, and labour to the great industrial Exhibition in London, this year, the frigate *St. Lawrence* was, with the approbation of the President, despatched thither from the port of New York, under the command of Commander Sands, to transport the articles for exhibition, free of charge. It is hoped that the triumphs of our countrymen in the competitions for prizes, in the inventions pertaining to agriculture alone, the most ancient and useful art known to man, will justify the countenance and liberality thus shown to them by the Government. On her return, the *St. Lawrence* conveyed our Chargé d'Affaires in Portugal from Southampton to Lisbon, and in the ports both of England and Portugal was received with demonstrations of respect and hospitality.

The number of officers of the navy employed during the present year on the coast survey, was 90. Having communicated to Congress, at its last session, my opinion that, in consideration of the nature of this work and the connexion of the officers of the navy with it, the public interests would be promoted by the transfer of its conduct and supervision to this department, I have but to repeat the conviction then expressed, as strengthened by more mature consideration.

In pursuance of the intention expressed in my last annual report, a board of engineers of the army was, at my request, detailed to make a survey and examination of the Memphis navy-yard, with a view to overcome a difficulty which had been encountered in finding solid foundations for the buildings of the yard. The report of this board, of which a copy is appended, affords an interesting discussion of the question involved, and will merit the attention of Congress.

The large stone dock at the Brooklyn navy yard, which has been 10 years in progress, was so far completed, with all its appendages, in August last, as to be surrendered up to the Commandant of the yard. Its entire cost, as shown in the report of the Chief of the Bureau of Yards and Docks, has been 2,146,255 dollars.

The floating sectional dock, basin, and railway at Philadelphia, has likewise been reported as ready for delivery; but owing to the

want of a sufficient depth of water immediately adjacent to the basin, the experiment required of raising a vessel for the purpose of testing these works, could not be made. Dredging operations are now going on to remedy this defect, and the test is expected to be made within the month of December.

The floating balance dock, basin, and railway at Portsmouth, New Hampshire, is also expected to be finished, and tested within a short time thereafter.

The balance dock, basin, and railway at Pensacola, has not progressed as rapidly as was expected, and may not be in readiness for delivery before the ensuing summer.

Agreeably to the Act of the last session of Congress, a modified contract was entered into with Messrs. Dakin and Moody, and Gilbert and Secor, for the construction of a floating sectional dock on the bay of San Francisco, to be completed and delivered for the sum of 610,000 dollars. This work is understood to be in a course of speedy execution, the contract requiring its completion in 2 years from the month of May last. Its precise location cannot be determined until the selection of a site for a navy yard on the waters of that bay, for which purpose a commission will be sent out early in the ensuing spring. It will be necessary to provide a pier or basin to render this dock capable of use. The location of the dock having not yet been determined, the Department postpones the question of preference between these 2 structures, until the report of the proposed board shall be received and full local information obtained.

It being generally expected and desired by the owners of American merchant vessels, that the use of the dock in question shall be allowed for the repairs of such vessels when not required for ships of war, it is proposed that Congress shall determine the proper regulations for the purpose, and direct whether the dock and fixtures shall be leased with that view, or whether the Government shall carry on the work through its own agents, and on what terms.

The necessity of a navy yard and station on that coast is so obvious, as well to secure and work the dock, as for general naval purposes in those waters, as to need no illustration. I therefore recommend that Congress shall authorize such an establishment there, and make adequate appropriations therefor.

According to the authority conferred on the Department, and an appropriation of a sum not exceeding 80,000 dollars for that subject, a contract was concluded with Messrs. Wells and Gowan, of Boston, to remove the wreck of the steam-frigate Missouri from the bay of Gibraltar, for the sum of 59,000 dollars. Security was taken for the fulfilment of the contract, and the contractors are engaged in the work with no doubt, on their part, of success.

Of the 4 war-steamers, rated as frigates, directed to be built by

the Act of Congress, approved March 3, 1847, the *Saranac* was put in commission during the last year, the *Susquehanna* and *San Jacinto* during the present, and the *Powhattan* remains unfinished. Measures have been taken to expedite the completion of this vessel, and it is now expected she will be ready for sea in the course of the ensuing spring. The *Fulton* and *Allegany*, steamers of the first-class, have recently undergone extensive alterations and repairs, and are each nearly prepared for service; and steps have been taken to rebuild the *Princeton*, a steamer of the first class.

The steam-frigate *Mississippi*, in her long cruise of nearly 2½ years in the Mediterranean, underwent no repairs, except such as were effected on board, but yet retained her entire efficiency as a man-of-war, and the general conduct and management of the vessel and her crew reflects the highest credit on her commander. She will be transferred to Philadelphia for the purpose of testing the dock at that navy-yard, and to undergo such repairs and improvements as may be found necessary.

Having taken occasion a year since to review the legislation of Congress in reference to the gradual increase of the navy, and to demonstrate that no system of naval policy had been adopted defining the number and descriptions of ships supposed to be required by the wants of the country, I esteem it now only necessary to remark, that while I do not concur in the policy sometimes advocated, that The United States should apportion their naval vessels and force to those of the navies of the principal nations of Europe, with which, by possibility, they may have collisions, we should by no means omit to avail ourselves of all the aids afforded by science and experience in the improvement of our naval establishment, and at the same time enlarge our capacities for increase to any needful extent, whenever the public exigencies shall require it.

In everything pertaining to the building, armament, and equipment of vessels of war, the scrutinizing and active mind of the present age has not been idle. Merchant vessels of large draught have been recently built and rigged in our country, which have sailed, by the force of the winds alone, 1,000 statute miles in 3 days, and with an approach to the like rate of speed in long voyages. Improvements and discoveries in ordnance and gunnery have been introduced, by means of which, in the opinion of well-informed officers, a ship of inferior rating, say of 32 guns, may be so built and rigged, and armed, as to prove more than a match for the stoutest line-of-battle ship of the old construction and armament. How far the power of steam may be added to increase the superiority of the modern vessel in speed, destructiveness, and other points of a man-of-war, is also a fruitful theme of speculation and experiment.

With these improvements, whether fully realized or only in prospect before our eyes, it were vain to rest content with the old models and armaments and appliances of vessels, which, however excellent in their day, may have been superseded by more recent inventions. While, therefore, all proper cautions are observed, and nothing, however specious, should be adopted without full investigation, it appears to be our obvious policy to continue to build ships not only to supply the places of those decayed or lost, but to test and keep pace with the improvements of the age. It has been suggested as a matter of economy, that such experimental ships be built of white oak instead of live oak, that being the cheaper material, and generally used in merchant ships. In illustration of one of the improvements in war-steamers, it is represented to the Department that the boilers of the *Mississippi*, planned 15 years since, and with the best intelligence of that day, may be reduced nearly one-half in their dimensions and weight, and at the same time made to double the power of the vessel with about the same expenditure of fuel as at present. The letter of the engineer, discussing in detail this particular improvement and its recommendation on the score of economy, is herewith submitted.

I therefore recommend that authority be given to build every year two new vessels, one sail and the other steam, upon such models as shall be approved; and as old vessels may be found unserviceable, from fault of model or other cause, they may be sold or broken up.

In this connexion I invite the favourable consideration of Congress to the recommendation of the Chief of the Bureau of Yards and Docks, that machinery be erected in one or more of the navy-yards of the country, for the building of steam-engines, and construction of war-steamers complete.

A class of small vessels is much wanted to give employment in command to senior Lieutenants, many of whom are kept in long and tedious inaction before their promotion to Commanders; and would be highly useful as cruisers, especially those propelled by steam, by reason of their ability to penetrate into harbours and rivers, inaccessible to ships of larger class.

Having also in my last annual communication presented for the consideration of Congress, propositions to reduce the number of officers in the grades of Captain, Commander, and Lieutenant of the navy, I beg leave respectfully to refer thereto for the review of the officers in those grades, and the commands and employments to which they may be called in the present state of the service.

While the number in these grades might be appropriately reduced, it is worthy of consideration whether the number of Masters should not be enlarged, and the grade of Second Lieutenant esta-

blished. Although a Master is recognised as a necessary officer on board of every vessel in commission, and at every navy-yard, to 76 vessels and 8 navy-yards, there are borne upon the register the names of but 30 Masters; and of these 19 are out of the line of promotion, and many of them are superannuated, or otherwise incapacitated for duty at sea. If the number of Masters were raised to 50, exclusive of those not in the line of promotion (who must needs be removed by death in the course of a few years), and the grade of Second Lieutenant interposed between them and that of First Lieutenant, all of which could be arranged without adding to the number of officers below the rank of Commander now in the service, it would not only be an improvement in the proportions of the different grades, but would exert a cheering influence on the younger officers, who are now doomed to linger in the inferior grade of passed midshipman until the ardour of youth is passed, and professional distinction has lost much of its attraction. The series of promotions held out to a naval officer, compared to that in the army, is exceedingly limited, without taking into the account brevet rank, with which distinguished service in the latter may be rewarded; and these additional grades cannot but be regarded as new objects of hope, and new incentives to ambition among the aspirants in the naval service. For reasons similar to the foregoing, as well as others of great cogency, I repeat the recommendation formerly made, to elevate the ranks of the service by legalizing that of Commodore, and establishing 2 offices of Rear Admiral. As a reward for the gallant conduct of some of those surviving veterans, who more than a third of a century ago illustrated our arms in conflicts on the ocean, and as a stimulant to others to emulate their example, these superior ranks would be graceful distinctions on the part of the Government, and the position we occupy among the naval and commercial powers of the world renders their immediate recognition a matter of undoubted policy. With one such officer employed near the head of the Department in Washington, in the disposition and supervision of the *personnel* of the navy, and the other stationed at San Francisco, with power to issue orders to our squadrons in the Pacific and China seas, as well as to all officers residing west of the Rocky Mountains, subject to general directions and supervisions from the Department, much, it is believed, could be effected in giving promptness and vigour to the service in the remote regions of the world, in imparting to it uniformity and system, and in relieving inferior officers from difficulties and responsibilities arising from unforeseen events.

I also most earnestly renew the recommendation to establish a retired list, to which officers may be transferred on reduced rates of pay who may be invalided, from time to time, on account of super-

annuation, or other cause. If it be objected that this would burden the Treasury with a new class of pensions, the answer is, that the evil already exists; the question being between full and half-pay, or even a lower rate; between denying to the vigorous, the willing, and aspiring, who perform the duties, and must constitute our reliance in time of danger, the positions and emoluments in which they may improve their talents and extend their usefulness; and retaining and promoting, as of the effective force, all who have been admitted into the service, without reference to intervening disabilities, or disqualifications. No reform is of greater moment, as regards the efficiency of the navy, and none can be more obviously just.

The disputed questions of rank between the sea officers and civil officers of the navy, and between the several grades of officers of the army and navy, and the reports of the boards of officers summoned to consider these questions, were brought to the attention of Congress in a special communication at the last session, and are again recommended to its consideration.

Perceiving that the laws for the government of the navy, passed more than 50 years since, were defective and unsuited to the present state of the service, I have caused them to be revised by a board of officers, with instructions to prepare proper amendments and additions, and am prepared to transmit their report for the examination of Congress, and respectfully recommend that the code therein prepared be taken as a basis of legislation on this subject. Or, if there be no disposition to adopt the report in general, it will be found to be highly necessary to accommodate the law to the new condition of affairs, arising from our settlements on the shores of the Pacific, the ports of California and Oregon being now within The United States. To require orders to issue from Washington, even for convening a court-martial in the Pacific to try any officer or seaman, and for summoning witnesses, must greatly delay and embarrass the enforcement of discipline. Yet it is only the commander of a fleet, or a squadron, "acting out of The United States," who has power to order such courts, and approve or disapprove their sentences. This is cited, however, as but as a single instance of the want of adaptation of the present naval laws to the actual state of naval affairs.

But the most natural defect in our naval code is that occasioned by the failure to provide any punishment, by way of substitute, when corporal chastisement was abolished. To supply, in some degree, this deficiency, I presented and recommended, at the last session of Congress, a substitute proposed by a board of officers to whom the subject had been referred. In the present state of the law, there is no power to inflict any punishment, except confinement in irons, or without, unless by the sentence of a court-martial. Such court

must consist of not less than 5, nor more than 13 commissioned officers, and be ordered by the President of The United States, Secretary of the Navy, or commander of a fleet or squadron, "acting out of The United States." It is manifest, therefore, that there can be no other punishment, during a cruise, whether long or short, except in vessels within the immediate reach of the commander of the squadron; and only then, if there be at least 5 commissioned officers superior to all legal exception, who can be detailed on a court. It being known that 2 vessels rarely cruise together, but that single ships are detached on distant service, and are often separated from the flag-ships, and from home for many months, it is apparent that the delay of justice, the accused being, meanwhile, in confinement, is a serious grievance to him. But when it is remembered that the ends of punishment on ship-board are not merely for the sake of example and reformation, but to secure a faithful and specific execution of the contract of enlistment with the Government, at the very time when duty is required, and to protect the rights of the dutiful, the honest, the peaceful, and orderly, any punishment, to be effectual, must be speedy and certain. Confinement is ordinarily a means of securing the accused from escape, and of preventing a repetition of positive wrong; but to obstinate, indolent, or vicious men, some of whom will, perhaps, be found in every ship's company, notwithstanding any precautions of enlistment, it is not a sufficient remedy to enforce the performance of positive duties. In civil life, no provision is made by law for the specific fulfilment of contracts or duties, except in a few equitable cases where the time of performance is not material. The only remedy for failure, in all others, is by indemnification in money, to be awarded by courts of justice, held at periods regulated by the convenience of the community. In military affairs, at sea or in land, it is far otherwise. Time, as well as alacrity in performance, are of the very essence of the contract, and upon them may depend the safety of the ship and her company from disaster at sea, as well as the honour of her flag.

Again, theft, unlawful violence, and other wrongs, must be kept under wholesome restraints by the terror of punishment, at sea as well as on shore. But a public ship carrying no superfluous men, the service cannot, without injury, spare from daily duty those who commit offences during the time necessary for their punishment by imprisonment, even if that were the appropriate punishment, to say nothing of weakening the ship's company by this process, and the imposition upon good men of double duty, and the menial service of waiting on offenders while thus imprisoned. The consequences of the change have been thus far detrimental to the service, and it is apprehended will become more serious unless speedily remedied.

When vessels arrive in port after a cruise, it is found impossible

to keep the men on board until a proper muster, exercise at quarters, and inspection have taken place, which are the means adopted to ascertain whether officers have done their duty in keeping their ships and crews in effective condition. And independently of numerous cases of delinquencies overlooked, or disposed of by discharge, honourable or dishonourable, there have been nearly 100 trials of enlisted men by court-martial since the passage of the law in question.

These details are exhibited, not to contravene the policy of the legislature, but to demonstrate that the experiment of the abrogation of whipping cannot be effectually tried until Congress shall prescribe some substitute. Whether this shall be by the adoption of the system recommended by the board of officers above referred to, providing that courts-martial may be ordered by each officer in command of a ship, and summarily held to determine guilt, and then graduating punishments as therein stated, as well as holding out rewards, or by some other and more appropriate method, is referred to the determination of Congress.

The buildings of the Naval Academy at Annapolis are in the course of completion under the appropriations made at the last session of Congress, and the sloop-of-war *Preble* has been attached to the academy as a practice ship, for instruction in practical seamanship. After the examination in June, the pupils of the institution were embarked in this vessel, and proceeded on a cruise to our northern boundary, and thence, touching at the principal ports of The United States between Portland and the capes of Virginia, returned in the latter part of September.

On a revision of the regulations it was determined to make an important change in the plan of education heretofore approved. This consists in requiring a continued course of study of 4 years at the academy, without going to sea, except that the vacation of 3 months in each year is spent on a cruise in the practice-ship, the former course requiring 2 years at the academy, 3 at sea, and then 2 more at the academy. A class of 50 acting midshipmen was admitted in October last, and will constitute the first class to which this new system will apply. It is now believed that for all the purposes of naval education, the academy affords advantages equal to those for military education at West Point; and under the efficient command of the present superintendent, Commander Stribling, it is hoped that these advantages will be fully realized.

The report of a board of examiners, appointed according to regulations to superintend the examination of candidates for promotion, and the general state of the academy in October last, is herewith transmitted.

With great deference to the opinion of Congress, I again suggest

that it is highly expedient and proper to allow the appointment of 10 midshipmen to be made "at large" by the President, in analogy to the regulation respecting cadets in the Military Academy, over and above those apportioned among the Congressional districts.

The Naval Observatory and Hydrographical Office have been in active and vigorous operation during the year. A second volume of the Astronomical Observations has been published and already laid before you. The wind and current charts, planned by Lieutenant Maury, the Superintendent of the Observatory, and prosecuted under his direction with much industry, are being extended to the Pacific and Indian Oceans. This work is viewed with great interest and satisfaction by our seafaring communities, and all those interested in the safe and speedy navigation of the ocean. It has materially shortened the passage along the highways by which our commerce passes into and through the southern hemisphere, bringing the ports of those distant parts of the world some 10 days, and some several weeks, nearer to us than before. A letter from the Superintendent of the Observatory, which accompanies this communication, states the important fact, that vessels sailing from the Atlantic to the Pacific ports of The United States, with the instructions afforded by these charts, make the voyage in 40 days less, upon the average, than those sailing without them, and that there is reason to hope the time may be still further reduced.

The expedition for astronomical observations at Santiago de Chili appears from the reports of Lieutenant Gilliss to have been actively conducted, and will probably be brought to a close in the latter part of the next year.

The Nautical Almanac, under the superintendence of Lieutenant Davis, is also in a satisfactory state of progress, and the first publication of the work may be expected to be made in the course of the next fiscal year.

The commission appointed to examine condensers for supplying the boilers of marine engines with fresh water, has not yet completed its labours, as will appear from the letter of the commissioners hereto appended. It is, however, promised, in this communication, at an early day.

The further experiments of Professor Page, on the application of electro-magnetism as a motive power in mechanics, will be found in his report, which is subjoined.

The last experiments of Professor Espy in meteorological observations, under the appropriations heretofore made, and his expectations in respect to the completion of his labours, are set forth in his letter which is annexed.

My predecessor brought to the notice of Congress, in his annual report, dated December 1, 1849, the contract of Mr. Robert L.

Stevens for building a war-steamer, to be shot and shell proof, which he considered to have been abandoned by the contractor, and no longer obligatory on the Department, unless re-affirmed by new legislation. Acting on this decision, I directed certain materials for this steamer, which had been purchased with the means of the Government, to be sold; but, at the request of Mr. Stevens, suspended the order until he should have further opportunity to submit his case to the decision of Congress, and it is therefore commended to early consideration.

The line of mail steamers between New York and Liverpool continues to be highly successful in the speed of its voyages across the ocean; and the Postmaster-General has notified this Department, that he deemed it expedient to increase the service of this line to 26 trips in the year, instead of 20, or, in other words, to 1 trip every fortnight, at an increase of pay, *pro rata*, upon the present compensation. The subject will be by him presented to the consideration of Congress.

The number of steamers on this line at this time is 4 only, a 5th being stipulated for in the contract with the owners. Under the provisions of an Act of the last session of Congress to that effect, the officers of the navy who had acted as watch officers on this line have been withdrawn from it with the consent of the contractors.

Since the last annual report from this Department, 2 steamers, the *Ohio* and the *Illinois*, have been inspected and received on the line between New York and Chagres. The mail service on this line is performed regularly in 3 steamers, built and completed according to contract, and a 4th which was accepted for temporary service; the contract requiring 5.

The Pacific Mail Steamship Company, owning the line between Panama and San Francisco and Astoria, have added to their line a new steamer called the *Golden Gate*, making 6 in all, and have fulfilled their contract, in the number of vessels and the performance of service, to the date of the last settlements.

According to the provisions of the Act of Congress at the last session, in conjunction with the Postmaster-General, I entered into a new contract with this Company for a semi-monthly instead of a monthly service on this line, at 75 per cent. per annum upon the old rate of compensation, and also allowed a compensation for semi-monthly service performed prior to the contract, according to the directions of the said Act, the latter subject being left open for further consideration, upon the production of further evidence by the contractors.

I append the reports of the several heads of bureaux of this Department, and of the Commandant of the Marine Corps, exhibiting

the estimates for the support of the navy and marine corps for the year ending the 30th day of June, 1853, together with an aggregate statement of the appropriations required for all objects under the control of this Department, presenting an	<i>Dollars.</i>
aggregate of	8,540,693
From which deduct special objects	2,684,220

Leaving for the support of the navy and marine corps	5,856,472
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The amount estimated for this purpose last year being	5,900,621
The sum estimated for special objects last year was ..	2,210,980

And it will be seen that there is an excess in the present estimate, over and above that sum, of 473,240 dollars, which is occasioned by the addition of pay for increased service to the Pacific Mail Steamship Company, directed by the Act of the last session of Congress, the completion of the dry dock in California, and some additions under the head of improvements in navy yards, buildings, and machinery. To these must be added such amount as may be appropriated for a pier or basin to be appended to the dock in California, and a navy yard on that station, if Congress shall concur in the recommendation for the object.

I avail myself of this connexion to repeat the recommendation contained in my last annual report, that the appropriations for the support of the navy and marine corps be separated from those for permanent improvements in navy yards and objects of a fixed and local nature, and more particularly from those for the mail steam service and all other extraordinary objects.

The total amount drawn from the Treasury during the fiscal year ending the 30th of June, 1851, as shown by the statement of appropriations for the naval service, prepared by the Second *Dollars.*

Comptroller of the Treasury is	10,318,031
From which deduct repayments	1,273,434

And there remains the sum of	9,044,597
as the total expenditure on all objects under the supervision of this department. Of this sum there was expended for special objects	3,158,817

Leaving as the true expenditure for the navy and marine corps.. .. .	5,885,779
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The unexpended balances in the Treasury, of the appropriations for the naval service, marine corps, and special objects, under the control of the Navy Department, on the 30th June, 1851, was 4,182,296 dollars, all of which will be required to meet outstanding

obligations, due on account of the objects for which these appropriations were made.

The recommendation of the Chief of the Bureau of Provisions and Clothing, that a bakery be established at the navy yard in New York, for the preparation of bread for the use of the navy, deserves the most favourable consideration. Under the contract system, which now prevails, it is impossible, by any inspection which can be adopted, to prevent imposition in this most essential of all articles of food. During the last 2 years, a quantity of bread has been condemned as unfit for use, nearly equal in the amount of its cost to the value of such buildings and fixtures as will be required for this establishment.

I likewise invite attention to his proposition to exempt certain other articles of provisions from the operation of the law requiring supplies to be furnished on contract with the lowest bidder, and to vest in the department a discretionary power to change the navy ration in view of the scientific discoveries of the day, by which vegetables of various kinds may be prepared and preserved for any length of time at sea.

I respectfully advise the repeal of the Act of the last session, prohibiting commutation in money for stopped rations. The amounts which, in this way, passed into the hands of the seamen, allowed the purchase of other articles of food than those embraced in the ration, and desirable, if not essential to health and comfort. The prohibition in question was providently recommended and passed.

The recommendations of the Chief of the Bureau of Medicine and Surgery for the investment in productive stocks of the navy hospital fund, and for retiring from the list of effective surgeons all the officers of that corps who are permanently unfitted for duty, and supplying their places by new appointments, a provision required in every grade of the service, deserve early consideration and action.

The Commandant of the Marine Corps, it will be observed, has asked for an appropriation to commence the rebuilding of barracks for that corps, at the various stations, and the subject is commended to the consideration of Congress. If approved, estimates of the cost will be prepared and submitted in due season.

My experience in this department induces me to recommend the establishment of an additional bureau, to be termed the Bureau of Orders and Discipline, to which shall be assigned the communication of orders and instructions touching naval service and discipline, and the receipt and preservation, or distribution of returns and reports pertaining to the same, in analogy to the duties required of the Adjutant-General's office in the Department of War. It would relieve the head of the department from much labour which is merely clerical, belonging to routine duty, and insure important benefits to

the service. With it should be connected the office of Judge Advocate-General of the Navy, similar in its function and duties to the Judge Advocate-General of the Army. Such an officer, with proper professional qualifications, is highly essential to give accuracy, uniformity, and precision to the administration of justice and discipline, and has become almost indispensable since the alteration of the law already mentioned, which has occasioned the necessity for the trial of so great a number of enlisted men by courts-martial. The proposed bureau could be organized, it is supposed, without any material addition to the expenditure now incurred in this branch of the service.

With the greatest respect, &c.

WILLIAM A. GRAHAM.

The President of The United States.

(ANNEX 1.)—*STATEMENT of Vessels in Commission on the
1st November, 1851.*

Ships of the line.—*Pennsylvania*, receiving ship, Norfolk; *North Carolina*, receiving ship, New York; *Ohio*, receiving ship, Boston; *Franklin*, testing dry dock, Portsmouth.

Razee.—*Independence*, Mediterranean.

Frigates.—*Congress*, Brazil; *Savannah*, *Raritan*, Pacific.

Sloops.—*Saratoga*, *Plymouth*, *Marion*, East Indies; *John Adams*, *Germantown*, *Dale*, coast of Africa; *Vincennes*, *Warren*, *Falmouth*, *Vandalia*, *St. Mary's*, Pacific; *Cyane*, *Albany*, *Decatur*, Home squadron; *Jamestown*, Brazil; *Ontario*, receiving ship, Baltimore; *Preble*, practice ship, Annapolis.

Brigs.—*Dolphin*, special service; *Porpoise*, *Bainbridge*, *Perry*, coast of Africa.

Schooners.—*Wave*, *Phœnix*, coast survey; *Petrel*, New York.

Steamers.—*Mississippi*, Mediterranean; *Susquehanna*, East Indies; *Saranac*, *Vixen*, *John Hancock*, Home squadron; *Michigan*, on the lakes; *Union*, receiving ship, Philadelphia; *Massachusetts*, Pacific; *General Taylor*, tender, Pensacola; *Engineer*, Norfolk.

Store-ships.—*Relief*, Brazil; *Lexington*, *Southampton*, *Supply*, Pacific.

Recapitulation.—4 ships of the line; 1 razee; 3 frigates; 17 sloops; 4 brigs; 3 schooners; 10 steamers; 4 store-ships; total, 46.

CHAS. WM. SKINNER.

(ANNEX 2.)—*STATEMENT of Vessels in Ordinary, Repairing,
Equipping and Rebuilding, on the 1st November, 1851.*

Ships of the line.—*Vermont*, Boston; *Columbus*, *Delaware*, Norfolk.

Frigates.—*United States* (in ordinary), *Columbia* (repairing), *Constellation* (in ordinary), Norfolk; *Constitution* (in ordinary), *Potomac* (in ordinary), *Brandywine* (in ordinary), *St. Lawrence* (repairing), *Macedonian* (repairing), New York; *Cumberland* (in ordinary), Norfolk.

Sloops.—*Fairfield* (in ordinary), *St. Louis* (in ordinary), *Levant* (repairing), Norfolk; *Portsmouth* (repairing), Boston.

Steamers.—*Powhatan* (equipping), *Alleghany* (repairing), Norfolk; *San Jacinto*, *Fulton*, New York; *Water Witch* (repairing), Baltimore; *Princeton* (rebuilding), Boston.

Store-ship.—*Fredonia* (equipping), New York.

Recapitulation.—3 ships of the line; 9 frigates; 4 sloops; 6 steamers; 1 store-ship; total, 23.

CHAS. WM. SKINNER.

(ANNEX 3.)—*STATEMENT of Vessels on the Stocks and in progress of Construction, November 1, 1851.*

At KITTERY, MAINE.—*Alabama*, ship of the line, building suspended; *Santee*, frigate, building suspended.

At CHARLESTOWN, MASS.—*Virginia*, ship of the line, building suspended.

At NEW YORK.—*Sabine*, frigate, building suspended.

At HOBOKEN, NEW JERSEY.—Iron steamer, *Stevens*, building suspended.

At GOSPORT, VIRGINIA.—*New York*, ship of the line, building suspended.

At SACKETT'S HARBOUR.—*New Orleans*, ship of the line, building suspended.

Recapitulation.—4 ships of the line; 2 frigates; 1 steamer; total, 7.

CHAS. WM. SKINNER.

(ANNEX 4.)—*STATEMENT of Vessels broken up, lost, transferred or sold, since the last annual report..*

Broken up, as unworthy of repairs.—None.

Sold.—*Erie*.

Transferred.—None.

Lost.—*Yorktown*.

CHAS. WM. SKINNER.

CORRESPONDENCE between Great Britain, Prussia, and Turkey, respecting the condition of Protestants in Turkey.—1850, 1851.

[Continued from Vol. XXXVIII. Page 809.]

No. 81.—*Sir Stratford Canning to Visc^t. Palmerston.—(Rec. Dec. 2.)*
 MY LORD, *Therapia, November 18, 1850.*

I HAVE long had it in contemplation to obtain a more formal and permanent recognition of the Sultan's Protestant subjects as a separate community, and my intentions in that respect were confirmed some time ago by earnest representations addressed to me as well by some of the Armenian Protestants themselves as by the Prussian and American missionaries, who have always taken a lively interest in their welfare.

It is with strong feelings of satisfaction that I have now the honour to inform your Lordship of my success, which is the more agreeable to me as it is the result of much patient exertion, and applies to a purely religious body whose numbers are increasing both here and in the provinces. The draft of the Imperial firman, which establishes the more distinct and extended privileges now granted to the Protestant community of this empire, has been sent in to the Sultan; and as I am assured that His Majesty's sanction will not be withheld, I venture to forward a copy of it herewith for your Lordship's immediate information. It will, I think, be found to contain everything which the Protestant Rayas can fairly pretend to.

Aali Pasha has assured me that its provisions will be applicable to the whole empire, and that as soon as the official agent to be appointed in virtue of the firman shall inform the Porte that the Protestants have elected a council, their place of deliberative meeting will also be sanctioned by the Government.

Inclosed herewith are the memorials addressed to me on their behalf.

I have, &c.

Viscount Palmerston, G.C.B.

STRATFORD CANNING.

(Inclosure 1.)—*Firman in favour of Protestant Rayas.—(Communicated October 24, 1850.)*

(Translation.)

To my Vizier Mehemed Pasha, Minister of Police at my capital.

WHEREAS the Christian subjects of my empire who are Protestants suffer under some difficulties and inconvenience, owing to their not having been yet placed under a separate and special jurisdiction, and to the natural inability of the Patriarch and chiefs of the sect which they have abandoned to administer their affairs: and

whereas, conformably to the Royal solicitude and benevolence which I entertain towards all classes of my subjects, it is against my Royal pleasure that any of them should be exposed to trouble; the Protestants now forming a separate community, it is my Royal will that measures should be taken for ensuring the proper administration of their affairs, and for enabling them to live in peace and security. It is therefore, my Imperial will and command, that a respectable and trustworthy member of that sect, being a *bonâ fide* subject of my empire by descent, should be chosen by themselves and appointed with the title of Agent of the Protestants, and be attached to the Department of the Minister of Police; that the register of the community kept in his charge should be deposited in that department; that the births and deaths should be there entered by their agent, and that their passports, marriage-licences, and other matters appertaining to the community to be transacted at the Porte or elsewhere, should be procured and transacted by means of memorials sealed with the seal appertaining to the office of the aforesaid agent: and the present Royal edict has been issued from my imperial Divan to the above effect.

You, therefore, the aforesaid Mushir, on learning that such are my Royal commands, will attend to the strict execution of the regulations in question as afore-stated. As the issue of passports and the assessment of the taxes come under a special regulation, you will not suffer anything to be done in contravention thereof; you will not permit any fees or "Haratch" to be taken from them for the issue of their marriage-licences or for their registration. You will afford them every assistance and facility in the transaction of all their affairs, and in all matters concerning their burial places and places of worship, like unto the other communities which are subjects of my empire. You will not permit any interference whatsoever on the part of other communities in their religious rites or in their temporal concerns, but will enable them to perform the religious observances of their sect in security. You will be careful that they do not suffer any molestation whatever either in this or in any other respect, and that proper means be taken to enable them to live in peace and security, with free access, when necessary by their agent to my Sublime Porte.

You will be mindful that the present Imperial edict be registered at the proper office and confirmed in favour of the aforesaid subjects; and you will continue to pay strict attention to the injunctions contained therein.

Be it thus known unto you, and give full credence to my Imperial cypher.

(*Inclosure 2.*)—*Memorial on behalf of Armenian Protestants.*

Constantinople, March 23, 1850.

THE Protestant community in Turkey, regarded from the point of view of the Turkish institutions as now in use, has no chartered rights or act of incorporation in its hands, but exists merely by the sufferance of the present Ministry.

On a change of Ministry, Protestants are liable to be treated as a people unknown to the laws or to the Government. In fact, the predecessor of the present excellent Minister of Foreign Affairs refused to recognise the agent of the Protestants, though he had been appointed in consequence of a Vizierial order requiring the *Ihtissab* to admit the Protestants to a separate registry.

This Vizierial order had been addressed to the *Ihtissab* and 4 or 5 provincial Governors, and was the first step on the part of the Turkish Government, after Sir Stratford Canning had so effectually interposed to prevent persecution, towards giving anything like a legal existence to the Protestant community.

Owing, however, to the frequent changes of Governors, the influence of this Vizierial order does not extend beyond the term of office of the Governor who first received it, any further than custom has created prerogative. For the Vizierial order was not a charter entrusted to the hands of the Protestants, by which they could at any time show that they also were tolerated like the other communities. To this day they have never had an official or signed copy of that order. For a time it answered a great and useful purpose yet still their position is without any solid foundation.

As there is every indication of steady enlargement of the Protestant community, the Porte will one day be compelled by the force of events to confirm their rights, though it may be only after bitter and startling persecution, with a renewal of appeals to Protestant Powers. But the present moment seems a most favourable one to forestall such danger of persecution.

The materials for such a charter do not require to be drawn from the firmans bestowed upon patriarchs or provincial bishops, which confer temporal power and extraordinary privileges. The Protestants cheerfully take the laws of the country as they are, seek for no peculiar privileges, but simply ask for an act confirming them in their rights equally with other Christian denominations.

If the Turkish Government is not prepared, on account of any plans it may cherish of abrogating the whole system of politico-religious communities with their peculiar privileges, to give to the Council of the Protestants of Constantinople a charter confirmatory of their rights, an act or decree of the Sultan's cypher might be made, acknowledging the equal rights of the Protestants with other Christian denominations, and their right, in concert with the local

authorities to build houses of prayer (churches), to open cemeteries, and to have councils for the administration of their internal affairs, with such agents as they shall choose and the authorities accept to be their organ with the Government. An official copy of such a document would answer all the purposes of a berat or charter.

Within 18 months the Protestants have in various forms petitioned for a charter, but their requests have been unheeded; within a week they have sent in another petition.

(Inclosure 3.)—*Memorial on behalf of Armenian Protestants.*

Constantinople, August 2, 1850.

It is respectfully represented by the Raya Protestant community, that they are actually suffering much, and exposed to suffer more from want of efficient protection by the local authorities.

When wrong or injury is done to any one of their number, though the Minister of Foreign Affairs decrees its examination by the Police Pasha, the course pursued at the police is to blame both parties, and leave the Protestants without any satisfaction for the injury done. No Armenian defendant for the last 4 years, has suffered fines or imprisonments, for false accusations, false imprisonments, invading houses of Protestants, or beating them. The 2 cases to which appeal is made in proof of this, are 2 suits now before the police, of which the essential facts are these :

In the district Imrakhor of Psamatia of Constantinople, there is a house held by an Armenian Protestant, and inhabited by Yanco, a Greek Protestant. During the last 3 weeks especially (not to mention previous attacks on this house) it has been mobbed by crowds of from 100 to 1,000 Greeks; all the windows broken in, the joiner's work destroyed, and the house made a wreck. A son was robbed of his clothes and money; Yanco, his wife, and children, after repeatedly suffering violence, were obliged to flee to his mother's house. Pursued thither, his mother's arm was broken in the tumult. Compelled to leave this refuge, he was charitably received with his family for 2 nights by the Imam of Balji Jami, and he is still a refugee from his own dwelling.

When the cause came before the Police Pasha (by decree of Aali Pasha), he ordered 4 or 5 of the offenders to the House of Correction (*Iplik Khané*), but on the way thither they were set free. The Pasha, when inquired of by the Protestants, said he had only given the order to "appease the quarrel" (*defi belai*), and not to punish. And when the Protestants demanded some kind of satisfaction, at least, for pecuniary damages, he ordered them to the legal Mahomedan tribunals (*Mehkemé*). This was equivalent to his abandoning the cause, and giving the enemies of the Protestants a *carte blanche*

to do what they please in future, for it is impossible successfully to prosecute any particular individual of a mob, in courts of such peculiar rules about witnesses. The Pasha, if he had manifested any degree of impartiality, might have held the head of the quarter responsible, or ordered the quarter to repair the damages, or held at least some inquisition for the guilty.

The second case is one where a highly respectable Raya Protestant Armenian family demands, in accordance with Mahomedan customs and law, satisfaction to their honour for a gross insult. A low Armenian entered their house, situated at Leblebigi Kioshk Psamatia of Constantinople, at midnight, through the window, and lay down in a bed of the room where the family were asleep. He and his companions formed the design, either before or after the event to have the house thereby declared of ill-fame, and thus they would succeed in expelling the only Protestant family in the quarter from their midst.

The Armenian Patriarch, to secure the aggressor from the police, had him confined at first in the Armenian House of Correction, and had the presumption to beg of the Kiatib Effendi of the Minister of Foreign Affairs, that the punishment he was giving might be regarded as sufficient. When finally, after delay, the trial came on at the police, instead simply of the accused, appeared priests, and cavasses, and beadles of the Patriarchate, and headmen of distant quarters. During the intervals of the trial, the criminal charged with such an infamous outrage is suffered to go at large, and remains much more under the influence of the insinuations of his own countrymen, than of the terrors of justice. And he and all his fellows are emboldened by the disregard shown by the police to the wrong done to this family to plan other enormities of the same kind.

Any one acquainted with Constantinople sees that if either of these affairs had been of any other people than the small and almost unacknowledged body of Protestants, many individuals engaged in the mobs would, ere this, have been in the bagnio, and the midnight invader of the room of a sleeping family would have met with condign punishment.

Now all that the Protestants here, at the very seat of Government, are asking of the authorities is, in the first case, not for imprisonments, but merely that an indemnification be made in money for losses accruing from the mobbing of the house and driving out its occupants—the facts being of public notoriety; and in the second case, that the honour of a family be established by a suitable public confession or punishment to the midnight invader. Otherwise their enemies may succeed in driving them also from their home.

No. 82.—Viscount Palmerston to Sir Stratford Canning.

SIR,

Foreign Office, December 11, 1850.

I HAVE received your Excellency's despatch of the 18th ultimo, inclosing a copy of the draft of an Imperial firman which has been sent in for the Sultan's approval, formally recognizing the Sultan's Protestant subjects as a separate community, and conferring certain privileges upon them.

I have to state to your Excellency that this important result of your highly meritorious exertions in regard to this matter is extremely satisfactory and gratifying to Her Majesty's Government.

I am, &c.

H.E. Sir Stratford Canning.

PALMERSTON.

No. 83.—Sir Stratford Canning to Visc^t. Palmerston.—(Rec. Dec. 19.)
(Extract.) *Therapia, November 26, 1850.*

THE Sultan has given his sanction to the firman which I have obtained in favour of the Protestants of this empire. Aali Pasha has sent me officially a legalized copy of it, as your Lordship will perceive on perusing the report inclosed herewith from Mr. Stephen Pisani. The original instrument is to be registered in the Public Record Office, and consigned to the care of the Protestant agent.

Religious liberty and exemption from civil vexations on account of religion are now secured to all those whom purer views of truth or the corruption and bigotry of other churches may attract or force into its bosom; and the example of its members may, with God's blessing, operate favourably on the relaxed morals of the Greek and Armenian clergy.

The draft of the firman submitted to the Sultan having undergone some verbal alterations, I inclose herewith an amended translation which is in strict conformity with the original, as now promulgated.

Viscount Palmerston, G.C.B.

STRATFORD CANNING.

(Inclosure 1.)—M. S. Pisani to Sir Stratford Canning.

(Extract.)

Pera, November 25, 1850.

I HAVE the honour to transmit inclosed herewith a legalized copy of the firman in favour of the Raya Protestants, as sanctioned by the Sultan, which Aali Pasha requested me to forward officially to your Excellency.

H.E. Sir Stratford Canning.

S. PISANI.

(Inclosure 2.)—Firman in favour of Protestant Rayas.—(Communicated October 24, 1850.)

(Translation.)

To my Vizier Mehemed Pasha, Minister of Police at my capital.

WHEREAS the Christian subjects of my empire who are Protes-

tants suffer under some difficulties and inconvenience, owing to their not having been yet placed under a separate and special jurisdiction, and to the natural inability of the Patriarch and chiefs of the sect which they have abandoned to administer their affairs; and whereas, conformably to the royal solicitude and benevolence which I entertain towards all classes of my subjects, it is against my Royal pleasure that any of them should be exposed to trouble; the Protestants now forming a separate community, it is my Royal will that measures should be taken for ensuring the proper administration of their affairs, and for enabling them to live in peace and security. It is therefore my Imperial will and command that a respectable and trustworthy member of that sect should be chosen by themselves and appointed with the title of Agent of the Protestants, and be attached to the department of the Minister of Police; that the register of the community kept in his charge should be deposited in that department; that the births and deaths should be there entered by their agent, and that their passports, marriage-licences, and other matters appertaining to the community to be transacted at the Porte or elsewhere, should be procured and transacted by means of memorials sealed with the seal appertaining to the office of the aforesaid agent; and the present Royal edict has been issued from my Imperial Divan to the above effect.

You, therefore, the aforesaid Mushir, on learning that such are my Royal commands, will attend to the strict execution of the regulations in question as afore stated. As the issue of passports and the assessment of the taxes come under a special regulation, you will not suffer anything to be done in contravention thereto; you will not permit any fees or "haratch" to be taken from them for the issue of their marriage-licences or for their registration. You will afford them every assistance and facility in the transaction of all their affairs, and in all matters concerning their burial-places and their places of worship, like unto the other communities which are subjects of my empire. You will not permit any interference whatsoever on the part of other communities in their religious rites or in their temporal concerns, in none of their temporal or spiritual affairs in short, but will enable them to perform the religious observances of their sect in security. You will be careful that they do not suffer any molestation whatever, either in this or in any other respect, and that proper means are taken to enable them to live in peace and security, with free access, when necessary, by their agent to my Sublime Porte.

You will be mindful that the present Imperial edict be registered at the proper office and confirmed in favour of the aforesaid subjects; and you will continue to pay strict attention to the injunctions contained therein.

Be it thus known unto you, and give full credence to my Imperial cypher.

No. 81.—Viscount Palmerston to Sir Stratford Canning.

SIR, *Foreign Office, December 24, 1850.*

I HAVE received your despatch of the 26th November, inclosing a translation of the firman in favour of Protestants in the Turkish Empire which has received the sanction of the Sultan; and I have to state to your Excellency that the version of that document inclosed in your despatch, appears to Her Majesty's Government to be as complete and as satisfactory as possible; and Her Majesty's Government look forward with extreme interest to the permanently beneficial effects which this firman must necessarily produce.

I am, &c.

H.E. Sir Stratford Canning.

PALMERSTON.

No. 85.—Sir Stratford Canning to Visct. Palmerston.—(Rec. Jan. 20.)

MY LORD, *Constantinople, January 3, 1851.*

THE Committee of Armenian Protestants, desirous of expressing their cordial thanks for the firman which, as your Lordship is aware, has been lately procured for them by this Embassy, have sent me an address which I take the present opportunity of forwarding in translation herewith. I venture to hope that your Lordship will see in the glowing expression of their acknowledgments to me, a natural effect of the sentiments which they are bound by every tie of sympathy and gratitude to entertain not only towards their own Sovereign, but also towards Her Majesty the Queen and Her Majesty's Government.

The original address is written in the Armenian language and deposited in the archives of the embassy.

I have, &c.

Viscount Palmerston, G.C.B.

STRATFORD CANNING.

(Inclosure.)—The Protestant Rayas to Sir Stratford Canning.

SIR, *(Translation.) Constantinople, January 3, 1851.*

WE, the Evangelical Christian subjects of the Sublime Ottoman Porte, through the infinite and unspeakable mercy of God, and by the special solicitude and activity of your Excellency, having been acknowledged by our compassionate and benevolent Sovereign as faithful and obedient subjects; and having obtained the favour of enjoying the individual and social privileges of good citizens under his protecting care, are constrained at the present time to make known to your Excellency, with unfeigned Christian love and respect, the deep and never-failing gratitude of our hearts.

We cannot conceal from you the strong and lasting emotions excited in all our hearts, when, in a full assembly of our community, one of our reverend presbyters related to us your Excellency's very kind reception of the 13 individuals who waited upon you; and especially when we heard those deeply affecting and soul-stirring words of counsel and exhortation designed for our whole community, which flowed from your Excellency's lips.

The many and widely-known and appreciated acts of kindness of which your Excellency, as the representative of Her Royal Majesty, has been the author, have spread your renown through the 4 quarters of the globe, and have justly made it conspicuous on the pages of civil history. But your sincere Christian love, and benevolent and unwearied efforts, worthy of everlasting remembrance, in behalf of freedom of conscience, have immortalized your illustrious name. Yes, and it will not only be written indelibly in the Church histories of the 19th century, but also engraven in imperishable characters on the hearts of ourselves and of our children.

Is it possible that we can ever for a moment forget the multiform acts of kindness you have so constantly shown to us in our humiliation during several years past, without justly exposing ourselves to the opprobrium of ingratitude? When, in consequence of our adherence to the simple doctrines of the Gospel, we fell under the power of civil and spiritual oppression, being driven from our houses and shops, and subjected to temporal punishments and prosecutions, and vexed on every side; and they strenuously demanded of us that against our own consciences we should obey the false and erroneous doctrines of human tradition; and not content with this, they even ventured to invent new confessions of faith, unknown to the ancient Fathers, to which they commanded us to subscribe: in one word, when, being in this miserable condition, we could by no means find protection for our rights in any quarter; and to whichever side we turned our eyes, and to whomsoever we looked for help, we were repelled as turbulent sectarians and rebels; then your Excellency kindly interposed for our relief. And if through the good and wise providence of God, you had not then extended to us your love and sympathy, and had not made known to the Porte the oppressions and persecutions we were unjustly suffering, and had not shown an interest in our case, humanly speaking, our very names must long ere this have been blotted from the earth. But instead of this, behold! we are recognized as an Evangelical Church and People, and enjoy all the liberties and privileges of a distinct community, and are permitted freely to worship God in obedience to the rules of the Gospel, and in accordance with the dictates of our own consciences.

For this we make bold to offer to your Excellency, as well as to Her Majesty and Her Majesty's Government, our sincere and hearty thanks; nor shall we ever cease to feel grateful also to our august Sovereign for graciously conferring on us such privileges.

And now, if there was an apostolic command to the early Christians to pray even for those kings and rulers who caused the earth to drink the blood of believers in Christ, and were sworn enemies of the holy Gospel, how plain and imperative is our duty to offer constant prayer and supplication with thanksgiving to Almighty God, our heavenly Father, for the precious life, health, and prosperity of Her Majesty, who in this our age would seem to be the appointed champion of Truth, set for the protection of the oppressed in all lands, and especially for those who are suffering for conscience sake. How imperious is also our duty to make mention of your Excellency and your honourable family in our unworthy prayers, since you, in the high post you occupy, have not withheld your Christian sympathy and kindness from us in our low estate.

May a merciful and benevolent God preserve firm and immovable the Government of Great Britain in constant peace and prosperity, and also vouchsafe to Her Majesty the Queen a long and useful life.

Praying constantly for your Excellency, we remain, &c.

On behalf of the Evangelical Christians, subjects of the Porte,

H. H. SIMON, *Presbyter*, } Committee.
E. ZENOP, }

H.E. Sir Stratford Canning.

No. 86.—Viscount Palmerston to Sir Stratford Canning.

SIR,

Foreign Office, January 23, 1851.

WITH reference to your despatch of the 3rd instant, inclosing an address from the Protestant Armenians, I have to state to your Excellency that it is very pleasing to Her Majesty's Government, and must be very gratifying to you, to receive from these poor people such fervent expressions of their deep thankfulness for the arrangement which, through your Excellency's exertions, the Porte has made in their favour; and it is satisfactory to see, that in making their acknowledgments towards their Christian protectors, they have not forgotten their loyalty to their own Sovereign.

I am, &c.

H.E. Sir Stratford Canning.

PALMERSTON.

CORRESPONDENCE of Great Britain, relative to the Slave Trade, 1850, 1851; viz.:

	Page
CLASS A.—CORRESPONDENCE WITH THE BRITISH COMMISSIONERS - - - - -	231
CLASS B.—CORRESPONDENCE WITH FOREIGN POWERS - - -	297

(CLASS A.)—LIST OF PAPERS.

SIERRA LEONE. (*General.*)

No.	Date.	SUBJECT.	Page
	1850		
1. H.M.'s Acting Commissary Judge to Viscount Palmerston.	Feb. 9	Blockade of the Gallinas raised	223
9. H.M.'s Commissary Judge <i>ad interim</i> to Viscount Palmerston.	Dec. 31	Annual Report for 1850	224

HAVANA.

	1850		
10. Viscount Palmerston to H.M.'s Commissary Judge.	April 11	Emancipados sent to Jamaica in February....	237
	1851		
36. H.M.'s Commissary Judge to Viscount Palmerston.	Jan. 1	Return of Emancipados sent to Jamaica in 1850	237
37. " "	Jan. 1	Annual Report for 1850	237

CAPE OF GOOD HOPE.

	1850		
44. Viscount Palmerston to H.M.'s Commissioners.	May 15	Information on Slave Trade to be given to H.M.'s naval officers	242
50. " "	Nov. 30	Protocol of Nov. 19, 1850, permission to British ships-of-war to enter Portuguese rivers and on East Coast of Africa.	242
	1851		
53. H.M.'s Commissioners to Viscount Palmerston.	Jan. 2	Annual Report on state of Slave Trade	245

LOANDA.

	1850		
74. H.M.'s Commissioners to Viscount Palmerston.	Mar. 30	Arrival of The United States' brig of war <i>Perry</i>	247
101. H.M.'s Commissioner to Viscount Palmerston.	Sept. 16	Passenger from <i>Aurora</i> slaver appointed to command of a Government transport	247
104. " "	Oct. 19	Destruction of barracoons by Portuguese cruisers	248

REPORTS FROM NAVAL OFFICERS.

	1850		
160. Commander Schomberg to the Secretary to the Admiralty	Feb. 15	Information about Brazilian Slave Trade	251

No.		Date.	SUBJECT.	Page
		1850		
161.	Commodore Fanshawe to the Secretary to the Admiralty	Feb. 4	Commander Dunlop's proceedings at and near Gallinas	252
166.	" "	Feb. 4	Blockade of the Gallinas raised	257
176.	" "	Feb. 12	Alterations in chart of Liberia. Slave Trade Act of Liberia	258
178.	" "	Feb. 23	Presents due to the Kings of Bonny and Old Calabar, &c.	260
187.	" "	Mar. 20	Destruction of Messrs. Hutton and Cookson's factory at Ambriz	262
205.	Rear-Admiral Reynolds to the Secretary to the Admiralty.	April 8	Return of slaves landed in Brazil in 1849	267
212.	Commodore Wyvill to the Secretary to the Admiralty.	May 10	Permission given by the Imaum of Muscat to H. M.'s ships to act against Slave Trade within his territorial waters	267
220.	Commodore Fanshawe to the Secretary to the Admiralty.	July 19	Lieutenant Forbes' report and journal of his mission to Abomey	270
225.	" "	Aug. 8	Intention of King of Dahomey to make war upon Abeokuta	274
229.	" "	Aug. 12	Sovereignty over Gallinas district acquired by Liberia	275
232.	Rear-Admiral Reynolds to the Secretary to the Admiralty.	Aug. 30	Commodore Storer's protest against the proceedings of H.M.'s ships. Search of United States' ships	276
234.	" "	Sept. 9	Brazilian forts ordered to resist by force the seizure of slave-vessels	276
243.	Commodore Wyvill to the Secretary to the Admiralty.	July 9	Destruction of barracoons at Masani and Keonga.	277
244.	" "	July 26	Submission of the Sultan of Angozha	284
252.	Commodore Fanshawe to the Secretary to the Admiralty.	Oct. 7	Slaves delivered up by the Chiefs of Gallinas ...	286
253.	" "	Oct. 28	Condition of missionaries at Badagry and Abeokuta	286
254.	" "	Nov. 2	Complaint of President of Liberia against H.M.'s Agent at Gallinas ...	288
261.	" "	Dec. 16	Murder of Mr. Parker, H.M.'s Agent at Gallinas	290
264.	" "	1851 Jan. 15	Murder of Mr. Parker. Punishment inflicted on instigators	293
267.	Rear-Admiral Reynolds to the Secretary to the Admiralty.	Jan. 11	Number of Slaves imported into Rio during last 6 months of 1847, 1848, 1849, and 1850 ...	295
268.	" "	Jan. 13	Renewal of anti-Slave Trade measures within Brazilian waters.....	296

SIERRA LEONE. (*General.*)

No. 1.—*Her Majesty's Acting Commissary Judge to Viscount Palmerston.*—(*Received April 6.*)

MY LORD,

Sierra Leone, February 9, 1850.

I HAVE the honour herewith to transmit, for your Lordship's information, a printed "Government Notice," issued by Governor Macdonald this morning, announcing that the blockade which has for a considerable time past been strictly enforced on the whole coast of Gallinas, was, on the 4th instant, in consequence of a Treaty concluded by Commodore Fanshawe, C.B., on the part of Her Majesty, and the Chiefs of the Gallinas, declared to be raised and no longer in force.

This test of the sincerity of the native chiefs is very interesting, inasmuch as Commodore Fanshawe must have been fully satisfied of their trustworthiness before he consented to raise the blockade, which, in conjunction with the previous stringent measures, has completely rooted up the export Slave Trade in Gallinas; and should the chiefs continue to carry out their engagements, as set forth in the Treaty between Her Majesty and them, the far-famed Gallinas Slave Trade will become a mere matter of historical record.

The raising of the blockade will, I presume, enable Her Majesty's naval Commander-in-Chief on this coast to do with fewer cruisers off Gallinas and Sherbro, and increase his squadron in the Bights.

Doubtless, attempts will be made by the renegade Spanish and Brazilian slave traders, lately residing in Gallinas and expelled by the native chiefs, to regain a footing in the country.

I have been informed that large numbers of slaves belonging to the expelled foreigners were left in charge of the inhabitants, with a few of their owners returning to claim them. Commander Dunlop of Her Majesty's sloop *Alert*, was fortunate enough to rescue numbers of such slaves, and land them in Sierra Leone.

As yet I have not heard of any vessel having carried away a cargo of slaves this year between Senegal and Cape St. Paul.

I have, &c.

Viscount Palmerston, G.C.B.

JAMES HOOK.

(*Inclosure.*)—*Government Notice.*

THE Colonial Secretary has the commands of Governor Macdonald to announce to the inhabitants of this colony generally, and more especially to the merchants and traders of it, that his Excellency received last night, by Her Majesty's sloop *Alert*, a despatch from Commodore Fanshawe, C.B., commanding in chief the British squadron on the west coast of Africa, officially notifying to him:

1st. That in consequence of the chiefs of Gallinas and Solyman having fulfilled all the engagements required of them by Her Majesty's Government, the Commodore had concluded a Treaty with them on the part of Her Majesty, for the total suppression of the Slave Trade; and had, therefore, on the 4th instant, declared the blockade of their coast to be raised.

2nd. That the Chiefs of Gallinas, Solyman, Manna, Sugury, and Cape Mount had, through the mediation of Captain Hugh Dunlop (commanding Her Majesty's sloop *Alert*, the senior officer of the northern division of the squadron, under the command of Commodore Fanshawe, C.B.), entered into a Treaty with him, by which, amongst other things, it is agreed that all wars and feuds between the said chiefs are for ever at an end, and that peace is restored within their respective territories; that Her Majesty's subjects shall be permitted to resort to their territories, for the purpose of trade, without hindrance or molestation of any kind, and that their persons and property shall be inviolate; that they may erect houses and factories therein; and that the chiefs will show no favour or privilege of any kind to the ships and traders of other countries, which they do not, or will not, confer on the subjects of Her Majesty the Queen.

3rd. The Governor invites the particular attention of the mercantile portion of the community to the foregoing gratifying intelligence; and sincerely trusts that they will avail themselves without delay of the opening now afforded them, of establishing, on a sure and solid basis, a lucrative commercial intercourse between this colony and the territories of the chiefs in question: which, while it cannot fail to be a source of emolument to themselves, will at the same time be the means, through their instrumentality, of utterly eradicating from the territories in the neighbourhood of this colony, that bane to all legal traffic, the Slave Trade.

By his Excellency's command,

J. F. SMYTH.

No. 9.—Her Majesty's Commissary Judge ad interim to Viscount Palmerston.—(Received March 13, 1851.)

MY LORD,

Sierra Leone, December 31, 1850.

I HAVE the honour to present to your Lordship a report on the state of Slave Trade on the western coast of Africa, during the past year, with such information on that subject as I have been able to collect.

In the above period no case has been brought before the several British and Foreign Mixed Courts of Justice established in this colony for the suppression of that traffic, and consequently no slaves have been emancipated by those Courts during the year.

The total number of cases prosecuted before the Mixed Commissions since their establishment here in June, 1819, up to the present date, is 529, whereof 502 were cases of condemnation, and 27 were either withdrawn, dismissed, or restored to the claimants.

In the same period there have been emancipated by these Mixed Courts 64,625 slaves, of whom 56,935 have been registered here.

In the Vice-Admiralty Court of the colony there have been adjudicated within the year, under the Act 2 and 3 Victoria, c. 73, 5 vessels without colours or papers, and under the Act 8 and 9 Victoria, c. 122, 7 acknowledged Brazilian vessels; all cases of condemnation.

Of these 12 captures, 11 were made in the Bight of Benin, and 1 to the southward of the Line, off the coast of Angola.

In 8 of the cases there were slaves; the remainder were proceeded against for equipment only.

The number of slaves so captured were 2,045, of whom 1,614 were decreed emancipation.

Of the 7 Brazilian vessels prosecuted under the Act 8 and 9 Victoria, c. 122, 5 got their imperial passports at Bahia, and 1 at Rio de Janiero; 5 cleared for Brazilian coasting voyages, and 1 for the Azores, and 1 had neither passport nor clearance.

Respecting the nationality of the 5 vessels unfurnished with flag or papers, I am unable to give any correct information. They were most probably engaged in Brazilian Slave Trade, although a portion of them might have been Spanish property, as the destruction of flag and papers is sometimes resorted to, to avoid the exposure and risk of punishment which would await the parties concerned were they brought before these Mixed Courts.

From the foregoing statement, it will be seen that the number of captures adjudicated at Sierra Leone during this year has been almost one-half less than the year preceding, although the number of slaves captured and emancipated exceeds that of last year.

All the captures, with one exception, were made to the north of the Line.

The expulsion of the foreign slave-traders from their position at the Gallinas, consequent upon the proceedings adopted against them by the British cruisers, and the increasing legitimate trade in the Sherbro (both formerly great marts for slaves), will, I trust, prevent its reappearance in those localities, as the natives will, it is to be hoped, discover it to be more to their interests to foster and encourage legitimate commerce, than to cherish a traffic attended with so great risks to those engaged in it, and with such debasing results to the country where it is permitted to exist.

I regret, my Lord, not to be able to say the same of the state of Slave Trade to the north, as in the course of this year a Brazilian

vessel took 240 slaves from the River Pongos, shipped by the notorious Paul Faber, which I had the honour to report to your Lordship in my despatch of the 4th of November last, and to which I beg to refer your Lordship. This, however, is the only successful instance of the kind that has come to my knowledge; and as that part of the coast has since been visited by 2 of Her Majesty's cruisers, and remains now narrowly watched by 1, I trust that any encouragement which might have been given to Slave Trade by this vessel's success, will be checked, and that the legitimate trade in ground-nuts and other articles of produce which has sprung up, and which was seriously disturbed and endangered by that transaction, will eventually supersede it.

The death of Caetano José Nozolini, *alias* Kyetan, in the month of June last, who used to be one of the most extensive slave-traders to the northward of this colony, will doubtless have a favourable effect towards the extinction of the illicit traffic in that part; and should Her Majesty's Government decide upon occupying the Island of Bulama, the Slave Trade will very shortly be wholly extirpated in that locality.

From Cape Senegal, in latitude $16^{\circ} 21'$ north, and longitude $16^{\circ} 13'$ west, to Cape St. Paul's, in latitude $6^{\circ} 0'$ north, and longitude $1^{\circ} 0'$ east, a distance measuring by the line of coast of about 1,500 miles, there has not been, with the exception before named, a single capture, nor, so far as I can learn, any slave-trading. This is a matter of sincere congratulation, as in former years a very large exportation of slaves took place annually between those two latitudes.

In the Bights and on the south coast, there is a "lull," if I may use that expression, in the traffic, which I believe is to be ascribed to the more active co-operation of the American with the British cruisers, as also to the measures taken to enforce the Treaties on the coast of Brazils.

At Loanda, also, I have reason to believe the slave-dealers have received a severe blow to their speculations in human flesh, the result of active and well-concerted measures adopted against them by Commodore Fanshawe, C.B., and the squadron under his command; and it only requires that the other Powers should act with good faith, and co-operate with Great Britain in carrying out vigorous measures against that traffic, to enable us to anticipate, I trust at no very distant period, something more approaching to a total suppression of it than has as yet marked the noble efforts which have been so unceasingly made by Great Britain, to contend against it, single-handed.

I have, &c.

Viscount Palmerston, G.C.B.

NORMAN MACDONALD.

HAVANA.

No. 10.—Viscount Palmerston to Her Majesty's Commissary Judge.
 SIR, *Foreign Office, April 11, 1850.*

I HAVE received your despatch of the 4th of February last, on the subject of the emancipados who were delivered up to you in the month of January, to be removed to a British colony.

I approve of the representations which you made to the Captain-General respecting the reluctance which appears to have been felt by the negro Felipe and the negress Tomasa to be removed from Cuba, and which induced his Excellency to consent to their remaining in that island.

The removal of emancipados to a British colony is intended for their advantage and security, but none should be so removed who really prefer to remain in Cuba.

I am, &c.

Her Majesty's Commissary Judge.

PALMERSTON.

No. 36.—Her Majesty's Commissary Judge to Viscount Palmerston.
(Received February 26.)

MY LORD, *Havana, January 1, 1851.*

I HAVE the honour to inclose my annual return of the emancipated Africans removed hence to Jamaica during the past year, from which your Lordship will perceive that I have sent 48 men, 13 women, and 9 children, total 70, which numbers, with those previously reported, make the totals, 367 men, 176 women, and 132 children; gross total, 675.

In the year 1849 were sent in like manner, 53 men, 11 women, and 8 children, total 72. In 1848 were sent, 27 men, 11 women, and 3 children, total 41; and in 1847 were sent, 46 men, 27 women, and 8 children, total 81.

Of the 61 adults sent during the past year, 59 had been declared emancipated by the Mixed Court, one by General Valdes, and one by General O'Donnell.

I have, &c.

Viscount Palmerston, G.C.B.

J. KENNEDY.

No. 37.—Her Majesty's Commissary Judge to Viscount Palmerston.
(Received February 26.)

MY LORD, *Havana, January 1, 1851.*

I HAVE the honour to submit to your Lordship my annual report on the Slave Trade of this island for the past year, inclosing the usual returns of vessels reported to have arrived with slaves during the year, and of those dispatched in it and in the year preceding, suspected of being intended for Slave Trade.

This is the 14th time I have had this duty devolving on me, the which I have found every year more difficult, as every year the Trade

has assumed a more clandestine character; when as even 10 years since, previous to the governorship of General Valdes, the slave-vessels were sent hence or returned with scarcely an attempt at concealment, under the direct permission of the authorities, their names and proceedings were sufficiently ascertainable to enable us to give what we might consider trustworthy accounts respecting them. But since General Valdes broke up that system of connivance, the vessels have been sent generally from other places or the smaller ports of the island, under different names, and with falsely-declared destinations, so systematically as to make it almost impossible to give any report whatever of departures, while of the arrivals also there is so much more attempt at concealment as to render very difficult any approximation to accuracy in the reports that are received. The only hope I entertain of approximate correctness is with regard to the number of slaves actually introduced, which being first gathered from public rumours may be checked by other considerations, showing their credibility from other results. From these then I form a conclusion that, whereas in 1849 there arrived about 20 vessels, with, as reported, 6,575 slaves; in the year 1850 there reached the island at least 7 vessels with about 2,325 slaves. Adding one-third to this number as for those of which no accounts reached this place, according to my former computations, the which I think may now be more justly allowed than before, I conclude that not more than 3,100 have been brought during the year. One or two lots, not exceeding 100 altogether, have been brought from Porto Rico, who, I understand, were not actually Bozales, though as appearing to resume a practice to which recourse was formerly had for direct slave-trading, it may require renewed attention to prevent the recurrence of such evils. A great proportion of the slaves brought have, I believe, come intermediately from Brazil; and thus it is said that M. Forcade has been able to repair the losses he had formerly suffered on the vessels sent to the coast of Africa. I have not heard of any other labourers having been brought from Yucatan or elsewhere; so that altogether it appears the addition to the labouring population has been only about one-third of what I estimated it at for the year preceding.

To account for this diminution I cannot help believing the principal cause must be the captures on the coast of Africa and elsewhere, of which we have reports of many, though as the vessels now in the Trade do not generally belong to this port, the circumstances are less attended to. The demand for slaves continues as great as ever, or more, and would be still greater, only that the causes of demand form of themselves a drawback to prevent a supply. The first is the cholera, which prevailing during the year, the planters, though they saw their numbers decreasing, were afraid to buy other

slaves, who, as recently introduced, might be apprehended from former experience more subject to the disease. Thus the cargoes brought last spring did not obtain such good prices during the fear entertained of that malady, and the importers, therefore, suffered great losses in consequence. One large landed proprietor, named Pedroso, bought a lot of 120 Lucumis of the finest class for about £50 a-head only, whom he could now easily resell at double the purchase-money. Again, the planters having to buy, not in the usual course of their business, but often to supply great losses, were not in a condition to make cash payments or give such security as the importers required, and thus those who had the means of ready payment obtained them at prices which the dealers would not have accepted but for the fear of no payment at all on the risk of bills at long dates. Next, the expectation of profits from having the English market opened to the sugars of Cuba, have not been realized, and the present prices do not seem to offer much inducement for extended cultivation.

In 1849, the exports of sugar from Havana and Matanzas amounted to 850,348 boxes, of which 5 equal a ton, and of these as many as 63,242 boxes were sent to England. But in 1850, when the exports were 1,043,534 boxes, or nearly one-fifth more, the exports to England fell to 28,207 boxes, or less than one-half. Of coffee there were 3,481 quintals exported to England in 1849, but in the last year only 3 quintals. For the latter article there had been a greater demand latterly, and the preceding season gave a good crop, so that in 1849 the exports amounted to 142,974 quintals, but in 1850 they have fallen to their former average, or 41,355 quintals. The cultivation, therefore, of coffee may still be considered as almost abandoned, and that of sugar as not presenting the appearance of much increase, though, as the fields of new cane planted a few years since are now come to full growth, the proceeds may be greater.

Thus it is said that the exports of this year may exceed those of the last by about 200,000 boxes. Still I learn that several old estates have been given up, and their labourers transferred to others; while some are left without sufficient hands to work them. Within the last month an estate has been advertised for sale, presenting great capabilities in every respect for soil, and vicinity to the sea for conveyance, but which the owner was obliged to give up, as unable to bear the expenses of hired labourers, being unable to procure others.

I judge from these considerations, that as slaves may be so much required, the Trade may be still prosecuted with activity, as soon as circumstances allow the speculators to see how they may proceed.

Though the English market does not appear so profitable as was expected, that of The United States, especially when the season in

Louisiana has been bad, as it is about every third year, from frost, will give sufficient demand. Thus, in 1849, the exports to The United States amounted to 112,156 boxes; but, in 1850, they have been 251,281 boxes or more than double.

This winter has been very severe already in the States; and we learn that the sugar crop was almost destroyed by frost, so that the demand will continue great.

If this island were annexed to the States, the sugar would be admitted free of duty, and thus an immense boon would accrue to the planters, whose interests, therefore, would be benefited by that measure.

Having no doubt but that the Slave Trade will be continued if offering any chance of profit, I venture to submit to your Lordship the opinions I have formed as to the best mode of suppression, which the experience of a long residence enables me to hope may be thought deserving of adoption.

1st. As regards the means on the coast of Africa, beyond the present active system of cruising, I would humbly suggest the advisability of apportioning a severe punishment on persons who have been found repeated offenders, and especially that those should be determinedly pursued and punished who have offered resistance, and so killed or wounded any of Her Majesty's subjects in the fulfilment of their duties. The cases I refer to have been so numerous, that I believe they would appear even startling if collected together with the results. Such offenders as Eugenio Vignier, master of the *Brazil*, who has his vessel well armed, and boasts of having 3 times beaten off British attempts to capture him, with more or less loss of life, should be followed and punished; and such summary punishment could not fail to operate beneficially on others inclined to follow the example. If allowed to pursue such courses with impunity, and if others in the Trade, when captured, are to be treated with such lenity as at present, I submit that they will not be deterred so effectually, as they would be by the fear of certain punishment.

2ndly. I would suggest that the proposition should be renewed, which your Lordship made so far back as 1838 (see Slave Trade Papers for 1838, Class B, pp. 86—100), to give the Mixed Court additional powers to summon before it all persons engaged or interested in any vessel suspected of being intended for Slave Trade, or that is reported to have arrived with slaves. By these means, not only the facts in most cases might be clearly established, but the present collusive proceedings of the local authorities would be done away with.

In the last spring, the *Brazil* having arrived at Cardenas with 600 slaves, simultaneously with the invasion of Lopez, public atten-

tion was more particularly called to the circumstances, and the parties abandoned the vessel, which was found run on shore a few leagues down the coast. But the local authorities, who got her off reported that they found on board no indications of illicit traffic, so that she was given up to the claimants, the owner being M. Forcade and in August she was dispatched again to the coast.

I feel assured that no opposition on the part of the community generally would be felt in this place to the exercise of such a power by the Mixed Court, if conducted discreetly. The people are far from being in favour of Slave Trade, though every one almost would be glad to buy slaves for his own advantage. The importer would find no favour in public opinion; and I believe rather the contrary, so that if the Court had the power, I have no doubt of its being able to carry it into full effect.

3rd. As the Trade has been driven in a great measure from Havana to the outports, I have found it latterly very difficult to obtain information on which to rely respecting arrivals. Of these often no doubts existed; but particulars were necessary for denunciation to call on an unwilling Government to proceed against the parties. When the Government saw we knew nothing certain of the matter they boldly denied the facts altogether, and I believe the captures partially made were only in cases that were too publicly known to be denied.

To obtain this information, then, it appears to me advisable that Consular Agents be appointed at the principal places of the island, not for the purpose of intervening with the Government, but for the purpose of giving such information to the Judge of the Mixed Court as would enable him to summon before the Court all parties engaged in slave-trading expeditions. The very liability to this could not fail to have a beneficial effect, inasmuch as from the publicity thence arising, and the loss of time to the parties, they would, in some cases, be deterred from entering on their projects, in others they might be defeated, and in some even punished.

My later annual reports have been translated into Spanish for this Government, and have been extensively made known. But they knew well that the statements repeated were substantially correct, and I trust the expositions will operate favourably in compelling the authorities to discontinue their connivances and participations, without which the Trade could not be effectually carried on. Publicity given in England to such conduct reflects even on this community, and the more that can be obtained the more successfully I believe the trade may be combated.

I have, &c.

Viscount Palmerston, G.C.B.

J. KENNEDY.

(Inclosure 1.)—*Vessels reported sent from the Havana in 1849, to be engaged in the Slave Trade.*—[8.]

(Inclosure 2.)—*Vessels sailed in 1850, reported for Slave Trade.*—[6.]

(Inclosure 3.)—*Vessels reported to have arrived in 1850, with Slaves, to the Havana.*—[7.]

CAPE OF GOOD HOPE.

No. 44.—Viscount Palmerston to Her Majesty's Commissioners.

GENTLEMEN,

Foreign Office, May 15, 1850.

I HAVE to desire that in future, whenever any well-founded information respecting the movements of slave-vessels may come to your knowledge, you will immediately communicate the same to the senior officer of Her Majesty's ships which may be at or in the neighbourhood of the Cape of Good Hope, as well as to the Commander-in-chief of Her Majesty's Naval Forces on the Cape of Good Hope Station.

I am, &c.

Her Majesty's Commissioners.

PALMERSTON.

No. 50.—Viscount Palmerston to Her Majesty's Commissioners.

GENTLEMEN,

Foreign Office, November 30, 1850.

I HEREWITH transmit to you, for your information, 2 copies of a Protocol of conference held at this office, on the 19th instant, between myself and the Portuguese Chargé d'Affaires at this Court, renewing for the period of 3 years, the permission which was granted to Her Majesty's ships by the Protocol of conference of the 12th of August, 1847,* to enter the bays, ports, creeks, rivers, and other places within the Portuguese dominions on the East Coast of Africa, where no Portuguese authorities are established, in order to prevent Slave Trade from being carried on at such places.

I transmit to you likewise a copy of a communication which I have caused to be addressed to the Admiralty upon this subject.

I am, &c.

Her Majesty's Commissioners.

PALMERSTON.

(Inclosure 1.)—*Protocol of a Conference held at the Foreign Office, between the Plenipotentiaries of Great Britain and of Portugal, for the purpose of renewing for 3 years the permission granted to British ships of war to enter rivers and creeks within the Portuguese dominions on the East Coast of Africa, for the purpose of preventing the Slave Trade.*—November 19, 1850.

WHEREAS by the Protocol of VISTO que pelo Protocollo de a conference between the Ple- uma Conferencia entre os Pleni-

nipotentiaries of Great Britain and of Portugal, held at the Foreign Office on the 12th of August, 1847, the Government of Her Most Faithful Majesty consented to grant, for the period of 3 years from that date, permission for Her Britannic Majesty's ships employed in suppressing the Slave Trade, to enter the bays, ports, creeks, rivers, and other places within the dominions of the Crown of Portugal on the east coast of Africa, where no Portuguese authorities are established, and to prevent the Slave Trade from being carried on in such places :

And whereas the period for which such permission was granted as aforesaid has expired :

The Plenipotentiary of Great Britain requested that such permission may be renewed; and the Plenipotentiary of Portugal declared that the Government of Her Most Faithful Majesty, with the desire to fulfil and carry out to the utmost of its power the obligations contracted by the Treaty signed at Lisbon on the 3rd of July, 1842, between Great Britain and Portugal, for the suppression of the Slave Trade, consents to grant the permission requested on the part of the British Government, for a fresh period of 3 years, commencing from this date, under the conditions laid down in the Protocol of the 12th of August, 1847, above referred to.

And as this permission is for

potenciarios de Portugal e da Graa Bretanha, que teve logar no Ministerio dos Negocios Estrangeiros em 12 de Agosto de 1847, o Governo de Sua Magestade Fidelissima consentiu em conceder, pelo periodo de 3 annos desde aquella data permissão para os navios de Sua Magestade Britannica empregados na supressão do Trafico de Escravos, entrarem nas bahias, portos, enseadas, rios, e outros logares do dominio da Corôa de Portugal na costa oriental de Africa, onde não se achão estabelecidas auctoridades Portuguezas, e poderem obstar a que o Trafico de Escravos continue nesses logares :

E visto que o periodo pelo qual essa permissão foi concedida, como acima dito, expirou :

O Plenipotenciario da Graa Bretanha requereu que se renovasse essa permissão; e o Plenipotenciario de Portugal declarou que o Governo de Sua Magestade Fidelissima, desejoso de preencher e cumprir, com quanto esteja ao seu alcance, as obrigações contrahidas pelo Tratado assinado em Lisboa em 3 de Julho de 1842, entre Portugal e a Graa Bretanha, para a supressão do Trafico de Escravos, consente em conceder a permissão requerida por parte do Governo Britannico por um novo periodo de 3 annos começando da data deste, sob as condições fixadas no Protocollo de 12 de Agosto de 1847, acima referido.

E como esta permissão é para

Her Britannic Majesty's ships employed in suppressing the Slave Trade to enter the bays, ports, creeks, rivers, and other places within the dominions of the Crown of Portugal on the east coast of Africa, where no Portuguese authorities are yet established, and to prevent the Slave Trade from being carried on in such places; it is understood and agreed by Her Britannic Majesty's Government, that the said permission shall cease in all its effects with respect to any of the said bays, ports, creeks, rivers, and other places, and to every one of them, as soon as, and in proportion as, Portuguese authorities shall be established, either in any or in every one of those bays, ports, creeks, rivers, and other places.

(L.S.) PALMERSTON.

(L.S.) THE CHEVALIER
DE RIBEIRO.

os navios de Sua Magestade Britannica empregados na supressão do Trafico entrarem nas bahias, portos, enseadas, rios, e outros logares do dominio da Corôa de Portugal na costa oriental de Africa, onde ora não se achão estabelecidas auctoridades Portuguezas, e poderem obstar a que o Trafico de Escravos continue nesses logares, fica entendido e concordado pelo Governo Britannico, que a dita permissão cessará para todos os seus efeitos relativamente a qualquer das ditas bahias, portos, enseadas, rios, e outros logares, ou a todos elles, logo, e á medida que, auctoridade Portugueza se estabeleça em qualquer das ditas bahias, portos, enseadas, rios, e outros logares, ou em todos elles.

(L.S.) M. J. RIBEIRO.

(L.S.) PALMERSTON.

(Inclosure 2.)—*Lord Stanley of Alderley to the Secretary to the Admiralty.*

SIR,

Foreign Office, November 23, 1850.

I AM directed by Viscount Palmerston to transmit to you the accompanying copies of a Protocol of Conference held at this office on the 19th instant, between his Lordship and the Portuguese Chargé d'Affaires at this Court, recording the renewal, for a further term of 3 years, to be reckoned from that day, of the consent of the Portuguese Government to permit Her Majesty's ships employed in the suppression of the Slave Trade to enter bays, ports, creeks, rivers, and other places within the dominions of the Crown of Portugal on the east coast of Africa, where no Portuguese authorities are established, in order that those ships may prevent the Slave Trade from being carried on in such places.

I am to request that in laying the Protocol before the Lords Commissioners of the Admiralty, you will move their Lordships to cause copies of it to be furnished to the Commanders of all Her Majesty's ships employed on the east coast of Africa in the sup-

pression of the Slave Trade, with instructions to carry it into execution.

Her Majesty's officers should be cautioned to adhere strictly to the conditions laid down in the Protocol under which the Portuguese Government have granted the renewed permission above mentioned; and they should be instructed to deal with vessels which they may capture under the authority of the Protocol, in the same manner in which they are enjoined by their instructions to deal with vessels captured in places not within the jurisdiction of any civilized State.

According to those instructions, vessels captured under the Treaties with Spain, Portugal, the Netherlands, Sweden and Norway, the Argentine Confederation, and the Republics of Uruguay, Chile, and Bolivia, are to be sent for adjudication to the proper Courts of Mixed Commission; while vessels captured under the Treaties with Austria, Prussia, and Russia, Denmark, Sardinia, Tuscany, the 2 Sicilies, the Hanse Towns, Hayti, Venezuela, and Mexico, are to be sent to the proper tribunals of their respective countries; and vessels captured under the statutes of the 5th George IV, cap. 113;* the 2nd and 3rd Victoria, cap. 73† (as amended by the 5th and 6th Victoria, cap. 91); and the 8th and 9th Victoria, cap. 122;‡ as well as vessels captured under the Treaties with the Imaum of Muscat, and the maritime chiefs of the Persian Gulf, are to be sent to the proper British Court of Vice-Admiralty.

I have, &c.

The Secretary to the Admiralty. STANLEY OF ALDERLEY.

No. 53.—*Her Majesty's Comm^{rs}. to Visc^t. Palmerston.*—(Rec. Mar. 13.)
MY LORD, *Cape Town, January 2, 1851.*

WE have the honour to report to your Lordship, that according to the information which has reached us, the Slave Trade was carried on to some extent during the early part of the year 1850, but has since been checked by the presence of Commodore Wyvill and the force under his command.

The system enforced by that officer, of watching the various points from which slaves can be embarked, has been so far successful, that from the month of August last, up to the time when our informant left the coast, not one vessel had taken slaves from the coast between Sofala and the Angoza river.

The rivers have been visited by the boats of Her Majesty's ships; those to the northward of Cape Delgado, under the sanction of the Imaum of Muscat; and on two occasions when the progress of the boats of the *Castor* and *Dee* was opposed by firing from the shore, barracoons, which were found on landing, were burned and destroyed;

* Vol. XI. Page 656.

† Vol. XXVII. Page 849.

‡ Vol. XXXIV. Page 1216

while in the Angoza river, a Treaty has been concluded, whereby the chiefs have bound themselves not to carry on the Slave Trade for the future.

Three vessels only have been sent in for trial before the Court of Vice-Admiralty during the early part of the year; namely, the *Revoama*, the *Deliberação*, and the *Philantropo*; all were cases of equipment, and were pronounced good prizes to Her Majesty's ship *Pantaloön*, Captain Parker; and the only fact which calls for remark with respect to them is, that an American, named William Anderson, was actually in command of the *Deliberação*, when she first anchored off Quillimane, under American colours, completely fitted for the Slave Trade; although, when boarded, neither papers nor colours were forthcoming.

We regret that we have not been able to learn that the Portuguese authorities on the coast, with the exception always of the Governor-General Senhor do Valle, are more favourable to the suppression of the Slave Trade; and in connection with this subject we must state, that it is reported in the newspaper published at Bloemfontein, the principal town of the Orange River sovereignty, upon authority which the editor says he cannot reasonably doubt, that Potgeiter, the headman of a large party of the emigrant Boers, had destroyed certain tribes, taking captive 300 of their children, who are declared to have been sold as slaves to the Portuguese Government at Delagoa Bay.

On inquiry we learn that no information upon the subject has reached the Colonial Office here; and we should, perhaps, not have thought it proper to bring it to your Lordship's notice, had not the report received some confirmation from the fact that the master of the American merchant-vessel *Cassily*, stated to the Commander of one of Her Majesty's ships on this station, that the Governor of Delagoa Bay had proposed to him to take a cargo of slaves on his account from Lourenço Marquez to Brazil.

In conclusion, we would submit, that when it is remembered that with 5 vessels, one of which must be at Mauritius, and one at Simon's Bay, so much can be effected towards suppressing the Slave Trade, there can be little doubt but that if a force of 5 vessels were employed on this service only, the traffic would be entirely stopped; and it is perhaps more especially necessary at this time that the squadron at Commodore Wyvill's disposal should be increased, as in consequence of the Kaffir outbreak, all available vessels are necessarily withdrawn from service in the Moçambique.

We have, &c. GEO. FRERE, JUN.

Viscount Palmerston, G.C.B.

FREDERIC R. SURTEES.

LOANDA.

No. 74.—*Her Majesty's Commr. to Visc^t. Palmerston.*—(Rec. June 10.)
(Extract.) *Loanda, March 30, 1850.*

HAVING, in our annual report, spoken pointedly of the absence of any cruiser on these coasts bearing The United States' flag, we have the greater satisfaction in being now able to inform your Lordship that an American 10-gun brig, the *Perry*, Lieutenant Foote commanding, arrived at this port last week, having left The United States in December.

Lieutenant Foote called the day after his arrival on Her Majesty's Commissioner, and stated, in the most explicit and unreserved manner, his regret at the abuse which has latterly been made of the American flag on this coast, and his great desire to obtain every information on the subject, and to use his utmost endeavours to put a stop to it.

In reply to the inquiry whether, at the time of his sailing from The United States, his Government had been aware of the extent to which this abuse had been carried on, and whether he had been sent by them to this southern part of the coast expressly in consequence of such knowledge, he said no, but that he had been dispatched by the American Commodore from the Cape Verdes, after a communication which the latter had had with Commodore Fanshawe.

Lieutenant Foote is the son of Governor Foote, formerly a distinguished member from Massachusetts in both Houses of Legislature, and Governor of that State. He expressed a desire to be made acquainted with every particular concerning a question in which, as he said, the honour and good faith of his country, no less than the interests of humanity, were so deeply engaged,—in order the better to enable him in the report which he was preparing to make to his Government, to point out the mischief in all its bearings, and the most effectual mode of correcting it.

Viscount Palmerston, G.C.B.

GEORGE JACKSON.

EDMUND GABRIEL.

No. 101.—*Her Majesty's Commr. to Visc^t. Palmerston.*—(Rec. Nov. 29.)
MY LORD, *Loanda, September 16, 1850.*

As illustrative of the system of allowing persons taken on board slave-vessels, and tried before the Juiz de Direito, to be at large on bail pending the final decision to be pronounced at Lisbon, I think it right your Lordship should be informed that a Portuguese, of the name of Francisco Baptista d'Oliveira, who was taken on board the *Aurora* (*vide* Commissioners' despatch of 20th March, 1848), and figured as a passenger with a Brazilian passport, and who was admitted to bail from the commencement of the proceedings, is

now in command under the assumed name of Mechas, of a Government transport sailing between Loanda and Benguela and the intermediate ports, in other words, some of the chief resorts of slave traffic on this coast.

This is explained and justified on the ground of enabling him to gain his livelihood and of relieving the public funds, which would otherwise be charged with his maintenance.

I have the honour to inclose herewith the "Boletim" of the 24th ultimo, showing the facts: the identity of the individual is matter of notoriety.

I have, &c.

Viscount Palmerston, G.C.B.

GEORGE JACKSON.

No. 104.—*Her Majesty's Commissioner to Viscount Palmerston.*
(Received January 2, 1851.)

MY LORD,

Loanda, October 19, 1850.

YOUR Lordship is doubtless aware of the communications that have passed this year between the Honourable Captain Hastings, of Her Majesty's ship *Cyclops*, and the Governor-General of this province, on the subject of the numerous barracoons for purposes of Slave Trade, declared by that officer to exist at various spots on the southern parts of this coast.

The Commandant of the Portuguese Naval Station, Senhor Manoel Thomas de Silva Cordeiro, sailed for those parts in the end of July; and on the eve of his departure, received the accompanying despatch (which I have the honour to inclose in original and translation) from the Governor-General, in consequence of which, on the arrival of the former at Benguela, he issued instructions to 2 of the cruisers under his command, a translated extract from which is annexed.

I do not trouble your Lordship with a very long report detailing the proceedings of these cruisers on this occasion, but the officer in command of them states, that at two only of the places named, viz., Equimina and Eminena, did he find any indications of slave traffic; that at one of them he burnt 2, at another 5 old barracoons deserted, and with nothing in them of any value; and that at all the other spots pointed out to him in his instructions, he found nothing but depôts of lawful commerce, such as urzella, &c.

Of the frequent shipments, however, of slaves from this part of the coast, notwithstanding this report, and of the connivance of the Portuguese authorities stationed there, little doubt can, I believe, be entertained.

The Portuguese Commandant has just returned to this port, but has not yet forwarded the result of this investigation, either to his Government or to the Governor-General; but he tells me that in replying to that part of his Excellency's despatch, in which he is

recommended to inquire into the conduct of the Commandants of Novo Redondo and Quicombo, he intends to call his attention very pointedly to the insufficiency of the force the Governor of Benguela has at his disposal, which is so small—between 30 and 40 men only—as to make it impossible for any one filling that office, even with the best intentions, to spare an adequate number for the necessary detachments.

As very materially affecting the Slave Trade question, though not arising out of any transaction directly in connexion with it, I beg to observe that the Governor of Benguela, the same whose renewed appointment was mentioned in my despatch of the 1st of April last, is now here to answer some accusations which have been brought against him of malversation in the Financial Department.

I have, &c.

Viscount Palmerston, G.C.B.

GEORGE JACKSON.

(Inclosure 1.)—*The Secretary of the Government of Angola to the Commandant of the Portuguese Naval Station.*

(Translation.)

Office of the General Department of the Province of Angola, July, 1850.

SIR,

ON the 4th March of this year, the Captain of Her Britannic Majesty's steamer *Cyclops*, addressed 2 official letters to his Excellency the Governor-General of this province, acquainting him that several depôts for slaves destined to be carried beyond sea were established at Novo Redondo; a brig named the *Maria* having, on the 20th of January last shipped at that Presidency a great number of slaves; and that at Quicombo there was also a depôt similar to the above, in proof of which he asserted that the Brazilian brig *Ventura* had sailed from that spot with 481 negroes, who were subsequently captured by the brig *Waterwitch*, and that among the negroes so captured some were found who said they belonged to inhabitants of that station, and further that several slave depôts also existed at the Salinas, at Bahia Farta, and at various other points distant 6 or 7 miles from Benguela, from which the American brig *Louisa* attempted to ship a great number; and his Excellency, immediately on the receipt of these 2 letters, as you, Sir, were not then in harbour, sent orders to the Commandants of Novo Redondo and Quicombo, to the Governor of Benguela, and to the Commander of the schooner *Nympha* directing them to inform him circumstantially respecting the whole that was alleged by the aforesaid Captain, making them responsible for any transgression whatever of the Decree of the 10th December, 1836,* and instructing the Commander of the *Nympha*, supposing such depôts to exist, to destroy and burn them, if he had force enough for that purpose.

* Vol. XXIV. Page 782.

His Excellency had not then any other means at his disposal to arrive at the truth; and the result of all these examinations proved contrary to the assertions made by the Captain of the *Cyclops*, but that officer continuing to declare in a letter recently addressed by him to his Excellency, that at the spots pointed out, and at Lobito, negroes had been shipped for beyond sea, his Excellency directs me to say to you, Sir, that profiting by the opportunity of your departure from this port for the southern part of this coast, he cannot refrain from requesting that you will ascertain, by the best means in your power, and with the utmost caution, whether the Commandants of Novo Redondo and Quicombo are at all concerned in such shipments, and that you will cause the aforesaid spots to be examined by the force under your command, and the depôts, if they exist, to be destroyed, giving thereafter such information respecting the same as may occur to you, as his Excellency feels the deepest interest in ascertaining the truth.

God preserve, &c.

F. J. DA COSTA E SILVA.

(Inclosure 2.)—*Extract of the Instructions given by the Commandant of the Naval Station to the Commander of the schooner Nympha.*

(Translation.)

Benguela, September 25, 1850.

You will sail from this port to-day, taking with you the schooner *Conde do Tojal*, and, in your character of a man-of-war cruiser (jointly with the schooner *Conde do Tojal*), you will explore the whole extent of coast lying between Elephant's Bay and this port of Benguela, and especially the following spots:—Southern Equimina, Chelulo, Eminena, Loacho, Rio Cuio, Rio de São Francisco, Ponta do Suldas Salinas, Northern Eminena, Grangeio, Ponta de São Jose das Salinas, Bahia Farta; and you will examine with the greatest attention, by landing yourself, and going as far inland as possible, if there exist any barracoons bearing the marks of being destined for the Slave Trade, according as it is declared in the table annexed to the Decree of the 10th December, 1836; and should you ascertain such to be the case, you will proceed according to the tenor of the Portarias of the 22nd May and 1st July, 1847.

When you shall have to burn any barracoons destined for that trade, you will previously draw up an authentic minute relative thereto, and the same should be done, in case the barracoons you visit should not exhibit any such marks.

So soon as you shall have completed this service, you will present to me a circumstantial report of what may have occurred during this important commission.

REPORTS FROM NAVAL OFFICERS.

No. 160.—*Commander Schomberg to the Secretary to the Admiralty.*
(Received April 10.)

SIR, Cormorant, *Rio de Janeiro*, February 15, 1850.

I HAVE the honour to forward to you, for the information of my Lords Commissioners of the Admiralty, a duplicate of letters forwarded by me to Rear-Admiral Reynolds, C.B., the Commander-in-Chief of Her Majesty's ships and vessels on the south-east coast of America, at present at Monte Video, dated February 14, 1850, containing important information, which I have been enabled to obtain, respecting the Traffic in Slaves on the coast of Brazil.

I have, &c.

The Secretary to the Admiralty. HERBERT SCHOMBERG.

(Inclosure 1.)—*Commander Schomberg to Rear-Admiral Reynolds.*

SIR, Cormorant, *Rio de Janeiro*, February 14, 1850.

HAVING made some trifling corrections from the information of Her Majesty's Chargé d'Affaires at Rio, in the lists I sent on the 8th instant, of vessels employed in the Slave Trade at present in Rio harbour, and those which have sailed from the coast in the last 10 months, with the names of the owners, I have the honour to transmit the corrected copies, as well as an additional one of vessels that have landed cargoes of slaves during the last 12 months, which I have obtained from Her Majesty's Chargé d'Affaires, duplicates of which I shall transmit to my Lords Commissioners of the Admiralty, according to my instructions, considering it of importance that such information be forwarded to them at the earliest opportunity.

I have, &c.

Rear-Admiral Reynolds. HERBERT SCHOMBERG, *Commander.*

List of 16 Slave Vessels in the Port of Rio de Janeiro, February 14, 1850.

List of 29 Slave Vessels sailed for Coast of Africa from Rio in 10 months, from April, 1849, to January, 1850.

(Inclosure 2.)—*Commander Schomberg to Rear-Admiral Reynolds.*

SIR, Cormorant, *Rio de Janeiro*, February 14, 1850.

I HAVE the honour to forward to you the following information, derived from authentic sources, of vessels from which slaves have been landed on the coast of Brazil, between Vittoria, in the province of Esperito Santo, and Paranagua in the province of St. Paul, during the last 12 months.

I have, &c.

Rear-Admiral Reynolds. HERBERT SCHOMBERG, *Commander.*

List of 41 Vessels from which 25,210 Slaves have been landed on the Coast of Brazil, from January 1849 to January 1850.

At 50*l.* per negro. Value 1,260,500*l.*

No. 161.—*Commodore Fanshawe to the Secretary to the Admiralty.*
(Received April 10.)

SIR, Centaur, off the Gallinas, February 4, 1850.

MY letter to you, of the 28th ultimo, will have informed the Lords Commissioners of the Admiralty that I was returning to this anchorage with the hope of making some permanent and satisfactory arrangement with the native chiefs, which would enable me to raise the blockade, and give them the full advantage of legal commerce.

I have now to request that you will be pleased to inform their Lordships, that I arrived here the following day, having been preceded by the *Alert*, and found that Commander Dunlop had succeeded in bringing together, as shown in the extract of his letter to me, and its inclosures, which I herewith transmit, all the principal chiefs of Gallinas and Solyman, who had sworn most solemnly, according to the custom of their country, to maintain friendly relations with each other, and abolish the Slave Trade in their territories; and that those chiefs had also agreed to come and meet the chiefs of Manna River, Sugury, and Cape Mount, at a palaver on board the *Centaur*, on my arrival, with the same objects.

Saturday, the 2nd instant, being fixed on for this meeting, the following chiefs assembled in my cabin at noon, for palaver, viz.:—Prince Manna, John Shapha Rogers, James Weston Rogers, James Rogers, Lucini Rogers, Chiefs of Gallinas; Sandfish, King of Sugury: Shapha Palma, Dwaro Mambo, Shamsee, Chiefs of Solyman; George Robin, King of Manna River; Tom Cole, Chief of Manna Rock; Prince Cain, Chief of Cape Mount.

It opened by the Gallinas and Solyman chiefs, through Prince Manna, declaring their desire now to conform to all my wishes, and to seek the protection (friendship) of the Queen of England. After some reference to their former bad faith, I asked why they had not given up the full number of slaves which they had declared in their first communication with Commander Dunlop were left in the country by the foreign slave-dealers, as they promised to do, Manna replied, "It is very true; but it is not we, the chiefs alone, who took goods from the Spaniards; the minor chiefs and people take goods and keep book; they had slaves on account, each man his book, and we have not been able to compel them to bring them in. Many have escaped, many, it is possible, sold again; but we are still seeking, and hope to have 100 collected at Mina to-morrow evening, and the other 200 in a few days; we have sworn, we do not wish

to deceive; we wish now to make a new Treaty with Queen of England."

This explanation was then given apparently with sincerity, and assented to by all the other chiefs present, and anxious that they should not be induced by any pressure, in any way to make fresh slaves for the purpose of adhering to the original number (which I had myself always considered a large estimate), I consented to accept it as satisfactory; and allowed them to execute a new Treaty, according to the form supplied, explaining to them, at the same time, that it was similar in its purport to Captain Denham's Treaty, and which they would have been still bound to conform to, had I not done so.

The Treaty having been executed, Prince Manna put the question: "Now we have done all the English wished,—we have driven out Spaniard, and we have sworn to give up Slave Trade, and we will do so,—what are you going to do for us? We want means to begin to trade with goods,—we wish to put ourselves under the protection of the English Queen and flag." I replied that, convinced of their good faith, I should take off the blockade, and open trade for them, and write to the Governor of Sierra Leone, to encourage our merchants to trade with them, but no good man would trade with them until assured of their having given up the Slave Trade; that I would leave an agent with them, who would make known their wishes, and inform me of what they were doing; they must now turn their people to cultivate the land, make palm-oil, and country cloths, and our ships would continue on the coast if they wanted assistance.

I disclaimed any wish on the part of the Queen to obtain the sovereignty of their territory, and I said that her desire was to hear that they had put an end to their wars for furnishing the slave-dealers, and that I hoped all the chiefs now assembled would enter into an agreement to that effect, and pledge themselves to assist each other.

It would be beyond the limits of a despatch to report the arguments used, but there being chiefs present who had been rivals for years, it was surprising how little discussion took place before the Agreement, a copy of which I have now the honour to inclose, was signed and executed; all the chiefs shaking hands, and swearing friendship, and to support each other; and thanking me, through King Sandfish, the oldest chief of this part of the coast, for having brought them together.

The palaver ended, we showed them the effect of some rockets and shells, and after a little festivity, and drinking Her Majesty's health, they returned on shore in the evening.

I have authorized Commander Dunlop of the *Alert* to divide the sum of 25*l.* between 3 minor chiefs of Manna and Sugury, whose

services for the last 5 months have been very valuable to him in his negotiation with the chiefs of Gallinas, and I have directed a small present of tobacco and powder to be made to each chief that signed the Treaty and Agreement, of which I have left copies with each of the principal chiefs; and, in reply to the petition of the Gallinas chiefs for a similar present as had been given to other neighbouring chiefs on signing Treaties, I said, that if I learnt they were adhering faithfully to the new Treaty at the expiration of a year, I would ask for a present to be given to them by my Government in the same manner; and I took the opportunity before the whole party assembled, of addressing to the chiefs of Cape Mount and Sugury, in accordance with the wishes of Her Majesty's Government, expressed in your letter to me of the 31st October last, the high sense Her Majesty's Government entertained of the good faith which they had displayed in fulfilling their engagements, and which example I hoped would now be followed by the chiefs of Gallinas and Solyman.

The *Alert* will take this despatch to England; I cannot close it, entertaining, as I do, a sanguine hope that with proper precaution for a time (which will certainly be required), the Slave Trade may be considered as put an end to between Sierra Leone and Cape Palmas, without expressing again to their Lordships that much of this is to be attributed to the untiring zeal and perseverance which Commander Dunlop has shown during the time he has been senior officer of this division.

I have, &c.

The Secretary to the Admiralty.

ARTHUR FANSHAWE.

(*Inclosure 1.*)—*Commander Dunlop to Commodore Fanshawe.*

(Extract.)

Alert, January 30, 1850.

ON the 21st ultimo I landed, to communicate with the chiefs, and I informed them that when they had delivered 300 slaves, in addition to those already given up to me, you would consent to make the new Treaties with them, and to take off the blockade, exacting no more slaves.

Finding that there was much jealousy and want of confidence in each other amongst the chiefs of Gallinas, proceeding from the 2 eldest of these chiefs, viz., Lucini and John Shapha Rogers, not having cordially concurred with the others in expelling the slave-dealers, and that there was a great probability of this leading to a war amongst them, I considered it would be of the greatest importance if I could restore good feeling and harmony, so that they might unite cordially with each other; to effect this object, it appeared to me there was but one mode which would be at all effectual, viz., if possible to induce them to take a solemn oath according to the custom of their country, binding them to maintain friendship with each other, and to unite in the suppression of the Slave Trade.

I have reason to believe that these oaths are seldom broken by the natives, as they consider that doing so would bring upon them some great misfortune, and they are taken with much solemnity and awe.

Lucini Rogers being very ill, and quite unable to attend the meetings of the chiefs, he delegated his authority to his eldest son and successor, a copy of which document I have the honour to inclose.

Having previously paved the way by separate communication with each of the chiefs, at a general meeting in which the chiefs of Solyman joined those of Gallinas, they took a solemn oath to maintain the most friendly relations with each other, and for ever to abolish the Slave Trade in their territories.

I have the honour to inclose the oath as it was taken word for word in their own language, with all the ceremonies of their country, which they afterwards signed by their own desire, that (as they expressed it) the Queen of England might hear of their intention never again to permit slave-dealers to reside in their country, or to carry on that trade themselves.

I have had the honour in my previous letters to inform you that I succeeded in making a cordial peace between the Manna, Sugury, and Cape Mount people, and those of Solyman, who for many years had been at war, and now the former people are assisting the latter in repelling the attacks of the people of Zaro.

As the Solyman people were supplied with arms and powder by the slave-dealers, and otherwise assisted by them, they were the successful party in the war. Before taking any other step towards reconciling those people with each other, I insisted that the Solyman chiefs should agree to give up to me all the prisoners of war whom they had not already sold to the slave-dealers, or put to death (which latter fate they confessed to me they inflicted on all those whose age or bodily infirmity rendered them unsaleable).

As these prisoners were delivered to me, I sent them to their country, and according to my direction, in my absence, they were sent direct to the chief to whom they belonged by the Chief of Solyman.

I have the honour to inclose an account of the number of prisoners thus released, and restored to liberty and their country, signed by their respective chiefs, and witnessed by the Chiefs of Gallinas and Chief of Solyman, in whose power they were. .

The number of slaves and prisoners delivered to me up to the present time is :

Delivered by the Chiefs of Gallinas	..	..	518
„ Solyman	..	..	200
			<hr/>
Total	..	..	718

Commodore Fanshawe.

HUGH DUNLOP.

(Inclosure 2.)—Certificate.

THIS is to certify that the number of people undermentioned, belonging to Cape Mount, Sugury, and Manna, who were taken prisoners and made slaves of by Shapha Pamah and the chiefs and people of Solyman and Juring, were liberated and restored to their respective countries between the 1st day of October, 1849, and 30th January, 1850, by Commander Hugh Dunlop, of Her Majesty's sloop *Alert*, senior officer of the British ships of war on the Northern Division of the west coast of Africa, to whom we, the undersigned chiefs, tender our warmest thanks.

35	People of Cape Mount.
45	„ Sugury.
120	„ Manna.

Total 200 Liberated.

Done at Mina, Gallinas River, this 23rd day of January, 1850.

his
GEORGE X CANE, *Chief of Cape Mount.*
mark.

his
KING X SANDFISH, *Chief of Sugury.*
mark.

his
KING GEORGE X ROBIN, *Chief of Manna.*
mark.

Witness:

his	} <i>Chiefs of Gallinas.</i>
PRINCE X MANNA, mark. his	
JOHN SHAPHA X ROGERS, mark.	
his	

SHAPHA X PAMAH, *Chief of Solyman.*
mark. his

JAMES WESTERN X ROGERS, *Chief of Gallinas.*
mark.

(Inclosure 3.)—Oath taken by the Chiefs of Gallinas and Solyman.

WE, the Undersigned, Chiefs of Gallinas and Solyman, considering that our mutual security and the good of our country require that we should be united in the closest friendship, did this day meet together at Mina, in Gallinas River, and in presence of Commander Hugh Dunlop, the senior officer of Her Britannic Majesty's ships on the Northern Division of the west coast of Africa, King Robin, Chief of Manna River, Mr. Charles Hall, Acting Paymaster and Purser of Her Majesty's sloop *Alert*, and Mr. William Parker, Interpreter to the said senior officer, and other witnesses, solemnly swear (according to the forms and customs of our country) that we, the Chiefs of Gallinas and Solyman, should unite together in the closest friendship, and that no quarrel, war, or strife should arise

amongst us in consequence of our having banished the slave-dealers from our country, but on the contrary, that we should assist each other against any enemy who may attack or injure any of us, and that we should never again allow slave-dealers to reside in our country, or ourselves in any way engage in the Slave Trade, or permit that Trade to be carried on, directly or indirectly, in our respective territories, and we consider this solemn oath and engagement to be binding to our heirs and successors.

We hereby set our signatures to this document, that Her Majesty the Queen of England may thus be informed of our sincere intention for ever to abandon the Slave Trade and to banish it from our territory.

Done at Mina, this 28th day of January, 1850.

his
PRINCE ✕ MANNA,
mark.

his
JAMES ✕ ROGERS,
mark.

his
JOHN SHAPHA ✕ ROGERS,
mark.

his
JAMES WESTERN ✕ ROGERS,
mark.

For his Father, LUCINI ✕ ROGERS,
mark.

his
JAN ✕ CUBAH,
mark.

his
SHAPHA ✕ PAMAH, *Chief of Solyman.*
mark.

*Chiefs of
Gallinas.*

Witnesses:

HUGH DUNLOP, *Commander and Senior Officer.*

C. E. P. HALL, *Paymaster and Purser, Her Majesty's ship Alert.*

WM. A. PARKER, *Pilot and Interpreter.*

his
KING GEORGE ✕ ROBIN, *Chief of Manna River.*

his mark.
JAMES ✕ FREEMEN, *Chief of Sugury.*
mark.

No. 166.—*Commodore Fanshawe to the Secretary to the Admiralty.*
(Received April 11.)

SIR, Centaur, off Gallinas, February 4, 1850.

WITH reference to my letter to you of this day's date, detailing the particulars of a palaver held on board this ship, on the 2nd instant, with the chiefs of Gallinas and Solyman, I have the honour to request you will be pleased to acquaint my Lords Commissioners of the Admiralty, that, having satisfied myself that those chiefs had now as

completely fulfilled the engagements of the Treaty concluded by them with Captain Denman as was in their power, viz., having expelled all the foreign slave-dealers from their territories, destroyed all their buildings and boats, and given up 562 slaves to be liberated, who had been kept for exportation by the slave-dealers, and executed a new Treaty with me, on the part of Her Majesty; I have this day declared the blockade of their coast to be raised, of which I shall give immediate notice to Her Majesty's Governors at Sierra Leone and Gambia, and to all the foreign authorities within the limit of my command, and of which I trust their Lordships and Her Majesty's Government will approve.

I have, &c.

The Secretary to the Admiralty.

ARTHUR FANSHAWE.

*No. 176.—Commodore Fanshawe to the Secretary to the Admiralty.
(Received June 8.)*

(Extract.)

February 12, 1850.

I HAVE to request that you will be pleased to acquaint the Lords Commissioners of the Admiralty, that I took the opportunity of my recent visit to Monrovia to have the chart of the Republic of Liberia, which is reserved as a record in my office, corrected by the President's permission from the archives of the State, so as to show the recent acquisitions of territory; and I have now the honour to transmit, for the information of their Lordships and Her Majesty's Government, a copy of the chart so corrected and certified by the President.

I also obtained from his Excellency, and transmit a copy of an Act passed by the Liberian Legislature in their session at the close of 1849, for the regulation of commerce, navigation, and revenue.

The Article relating to Slave Trade is much more stringent than before, especially as regards intercourse between Liberian subjects and slave traders.

I informed the President of the Treaties I had concluded on the part of Her Majesty with the Chiefs of Gallinas and Solyman, which had enabled me to remove the blockade of these rivers, but he did not express himself as to his intention of treating with those chiefs, for the cession of their country.

The Secretary to the Admiralty.

ARTHUR FANSHAWE.

(Inclosure.)—Act of the Liberian Legislature, for regulating Navigation, Commerce, and Revenue.—December 20, 1849.

ART. II.—OF THE SLAVE TRADE.

Section I. No citizen of, or other person coming into, or resident in this Republic, shall, for himself or another, either as master, factor or owner, build, fit, equip, or otherwise prepare any vessel to

sail from any port thereof for the purpose of carrying on the traffic in slaves. Every vessel so fitted or sailing, her tackle, furniture, or apparel shall be forfeited to this Republic, and may be seized, and prosecuted, and condemned in any court having competent jurisdiction; and every person so building, fitting out, equipping, loading, or otherwise preparing or sending away any vessel, knowing or intending that she shall be employed in such trade, or any way aiding or abetting therein, shall be deemed guilty of piracy, and shall suffer such pains and penalties as by law may be attached to the crime of piracy.

II. If any citizen or other person resident within the jurisdiction of this Republic, shall knowingly take on board, receive, or transport from one place to another, any African held as a slave for exportation, or intended to be enslaved, he, on conviction thereof, shall suffer the pains and penalties incurred under the last paragraph of the preceding section; and every vessel in which such slave or person intended to be enslaved shall have been so taken on board, received or transported, with her tackle, furniture, and apparel, and the goods and effects that shall be found on board shall be forfeited,—one moiety to the Republic, and the other to the prosecutor; and such vessel shall be liable to seizure by any officer of the customs, navy, or revenue service of the Republic, and prosecuted and condemned in any court having competent jurisdiction.

III. Any citizen of this Republic or other person residing therein who shall be found serving on board any Liberian vessel employed in the Slave Trade, shall be liable and may be indicted therefor; and on conviction shall be liable to a fine not exceeding 1,000 dollars, and to imprisonment not exceeding 5 years.

IV. If any citizen of this Republic shall voluntarily serve on board any foreign vessel employed in the Slave Trade, he shall, on conviction thereof, be liable to and suffer the like forfeiture and penalty as he would have incurred had such vessel been owned or employed in whole or in part by any citizen or other person residing within this Republic.

V. All vessels sailing under the flag of this Republic are hereby prohibited from any and every species of intercourse with slaves at sea and otherwise, and are strictly forbidden to trade with them in any kind of goods, wares, or merchandise, or to hold any negotiation or intercourse with them, under the penalty of indictment and fine of 500 dollars for each offence.

VI. No citizen of Liberia or other person resident within the jurisdiction of the same shall be permitted to act as agent, or enter into the employ or service of any person or persons engaged in the Slave Trade, or any person in the remotest degree connected with them, under the penalty of indictment and being 12 months bound

to hard labour in irons, or fined in the sum of not less than 500 dollars.

VII. Any citizen of Liberia being found in the neighbourhood of any slave establishment, shall be deemed guilty of an infraction of Section 6 of this Article, and shall forfeit or suffer the pains and penalties last above named. But should any citizen so implicated show that he or she was by accident or distress of weather thrown into that situation, the President being satisfied of such fact, may admit the plea in pardon or extenuation of the guilt of the accused party.

VIII. The President of the Republic may, whenever he shall deem it expedient, cause any armed vessel or vessels of this Republic to cruize on any part of the Liberian coast, or elsewhere, where he may judge attempts may be made to carry on the Slave Trade by any citizens of this Republic, and instruct the commander of such armed vessel to seize, take, and bring into any port of this Republic all foreign vessels found on the Liberian coast, and all Liberian vessels wheresoever found which may on reasonable ground be suspected of being engaged in the Slave Trade, or otherwise contravening the provisions of this Act, or any of the Acts of the Legislature of this Republic, to be proceeded against according to law.

IX. If any commissioned vessel of this Republic seize and take any vessel employed in the Slave Trade, it shall be the duty of the commander of such commissioned vessel to apprehend and take into custody, every person found on board such vessel so seized and taken, being of the officers or crew thereof, and them convey as soon as conveniently may be, to the civil authority of this Republic, in some one of the districts thereof, to be proceeded against in due course of law.

X. And the proceeds of all vessels, their tackle, apparel, and furniture, and the goods and effects on board of them which shall be so seized, prosecuted, and condemned, shall be divided equally between the Republic and the officers and men who shall seize, take, and bring the same into port for condemnation.

Approved December 20, 1849.

No. 178.—*Commodore Fanshawe to the Secretary to the Admiralty.*
(Received June 8.)

(Extract.)

Centaur, off Whydah, February 23, 1850.

I HAVE to request you will be pleased to acquaint the Lords Commissioners of the Admiralty, that, in pursuance of my directions, the rivers in the Bights of Biafra, Benin, Bonny, Old Calabar, Cameroons, Brass, and the River Benin, were visited by Commander Cumming, in Her Majesty's steam-sloop *Rattler*, during the months

of November and December, and that I have received from him a very satisfactory report of the general state of British commerce and interests in those rivers, and that all Treaties with Her Majesty and the Chiefs appear to have been faithfully observed.

A new King of Waree was to be elected in 2 months, with whom, it is probable, we may be able to make a treaty, on the arrival of Mr. Consul Beecroft.

King Pepple, in the Bonny, manifested the most friendly disposition, as did Archibong Duke and Eyo, in the Old Calabar.

I inclose a copy of a list of the articles these chiefs wish to have for their next instalment of presents, certified by Commander Cumming, and 2 certificates respecting King Pepple. The last present to Old Calabar came by the *Rattler*, in April, 1849.

With regard to Bimbia, Commander Cumming remarks, "Since the Treaty for the suppression of the exportation of slaves was signed, the King received about 18 months ago (I was informed) the second present which has been made him, and his hopes and necessities, I think, equally require another;—that he has faithfully acted up to the Treaty, is the testimony of all."

In the Brass, in consequence of the temporary detention of an English agent, Mr. Jackson, on one occasion, Commander Cumming had addressed an admonitory letter to the King and chiefs of the river, which, with the *Rattler's* visit, I hope will prevent any recurrence of violence, and beyond that of some trifling theft by natives, it was the only matter of complaint he received.

Commander Cumming has performed this service in a manner which has been perfectly satisfactory to me, and his report shows much assiduity, temper, and investigation.

The Secretary to the Admiralty.

ARTHUR FANSHAWE.

(*Inclosure 1.*)—*List of the things required for the next Instalment to Bonny and Calabar Chiefs.*

For King Pepple, Bonny :—1,000 dollars' worth of muskets, long Danes, flint-lock ; 1,000 dollars' worth of powder.

TOBINS, H.B.

Old Calabar, King Eyo, and Archibong Duke :—Half-muskets, long Danes ; half-brass rods ; handsome-looking curved sword, for each chief.

ARTHUR CUMMING.

(*Inclosure 2.*)—*Engagement entered into by King Pepple.—December 2, 1849.*

I, KING PEPPE, hereby engage to use all my influence and power to abolish human sacrifice to Jusse, in consideration of the

I promise Commander Cumming, of Her Britannic Majesty's steam-sloop *Rattler*, has given to me, to endeavour to send missionaries or teachers to aid me in the matter, and I promise to receive such missionaries or teachers with kindness, and pledge myself to assist and protect them during my reign.

Given under my hand, on board the *Rattler*, this 2nd December, 1849.

KING PEPPLE.

ROBT. AYLIE, *ship* Lady Worsley.

CHAS. CAINE, *ship* Georgina.

ARTHUR CUMMING.

(Inclosure 3.)—*Engagement entered into by King Pepple.*

I, KING PEPPLE, do hereby certify that from this day henceforth, during my lifetime, in case of any supercargo of any vessel trading in the said river, will not exact half Comey, which has been previously paid on the death of a supercargo, but will consider the first Comey paid to be sufficient for all my demands.

Given under my hand, in the Bonny, this 2nd day of December, 1849.

KING PEPPLE.

ARTHUR CUMMING.

ROBERT AYLIE, *ship* Lady Worsley.

CHARLES CAINE, *ship* Georgina.

No. 187.—*Commodore Fanshawe to the Secretary to the Admiralty.*
(Received June 8.)

(Extract.)

Centaur, off Point Padrone, March 20, 1850.

I HAVE to request you will be pleased to lay before the Lords Commissioners of the Admiralty the inclosed copies of documents relative to the destruction of a British factory at Ambriz, which I have received from the Honourable Captain Hastings, who, hearing of the occurrence only at the moment he was obliged to repair to St. Helena in the *Cyclops* for provisions for the division, dispatched Commander Tudor to the spot to make inquiry and obtain remuneration.

Commander Tudor appears to have acted with his wonted zeal and energy, and to have nearly lost his life on the occasion.

The Secretary to the Admiralty.

ARTHUR FANSHAW.

(Inclosure 1.)—*Captain the Hon. G. F. Hastings to Commodore Fanshawe.*

SIR,

Cyclops, Loanda, January 11, 1850.

I HAVE the honour to acquaint you, that the day previous to my leaving this port, last month, for St. Helena, to procure an immediate

supply of provisions for the south division, I received an application through Her Britannic Majesty's Vice-Consul at this city from a Mr. Hannah, the agent of Messrs. Hutton and Cookson, merchants of Liverpool at Ambriz, requesting me to grant him protection, and to demand from the Chiefs of Ambriz remuneration for the losses his firm sustained by their factory at that place having been burnt to the ground by the natives on the 25th November.

As Her Majesty's steam-sloop the *Firefly* arrived here from Congo, the day I received Mr. Hannah's communication, I gave Commander Tudor an order to call off Ambriz on his return to the Congo, to make every inquiry into the matter, and to obtain, if possible (without using force) the remuneration sought for by the representative of Messrs. Hutton and Cookson. I have now the honour to inclose you Commander Tudor's report of his proceedings, together with all the documents connected with the matter, and trust the same will meet your approval.

Commander Tudor delivered a copy of the Ambriz agreement to the Portuguese Commodore, and to the senior officer of the French division; and also transmitted one to Her Britannic Majesty's Vice-Consul at this port, who has this day informed me that he has inclosed it to Her Majesty's Secretary of State for Foreign Affairs.

I have, &c.

Commodore Fanshawe.

GEO. F. HASTINGS.

(*Inclosure 2.*)—*Mr. Hannah to Vice-Consul Brand.*

SIR,

Ambriz, November 27, 1849.

I HAVE taken the liberty of petitioning you in behalf of Messrs. Hutton and Cookson of Liverpool, on account of the factory in my charge having been maliciously set fire to by the natives of Ambriz, on the morning of the 25th instant at 3 A.M. I was awoke by the cry of fire; it was then on the outside of my house, and at first I thought to stop its progress, without the entire loss of my factory; but the natives hired in my employ, with myself, were not able to stop the progress of the flames, and in less than 5 minutes the house was surrounded by the natives for the purpose of plunder, and at the same time all the white people on the Point were there to render me assistance, by endeavouring to save some portion of the property, but the natives immediately attacked them with sticks and stones, likewise wounding 2 white men that were endeavouring to save some portion of the ivory, and all gentlemen that rendered me their assistance were abused in the vilest manner, and ordered to go to their own houses; but they persevered at the risk of their lives, and I was able to save a portion of the ivory in a burned state. Now, the amount of loss to Messrs. Hutton and Cookson is 2,600*l.* sterling; likewise this is the second time of their firing Messrs. Hutton

and Cookson's factory, it having been set fire to in February, 1849, but fortunately was got under, by breaking down part of the house. Now there is no motive that I know of but for plunder, I having had no disturbance with them whatever; I therefore pray for your help and protection, so that I may get a remuneration for the loss of the property of Messrs. Hutton and Cookson, likewise protection for the future safety of our property and lives, trusting that you will take this into due consideration.

I have, &c.

G. Brand, Esq.

E. HANNAH.

(Inclosure 3.)—*Vice-Consul Brand to Captain the Hon. G. F. Hastings*
SIR,

Loanda, December 1, 1849.

I BEG to acquaint you that I this day received from the agent in charge of the factory at Ambriz Point, belonging to Messrs. Hutton and Cookson of Liverpool, the letter of which the inclosed is a copy, stating that on the morning of the 25th ultimo that factory had been set on fire by the natives, and British property to the amount in value of 2,600*l.* completely destroyed.

This communication has, as you will see, been made to me under the impression that it is in my power to render assistance in obtaining remuneration for the loss of property already sustained, as well as to afford protection for the future.

As Ambriz Point, however, appears to be situated north of the 8th degree of south latitude, the most northern limit of the territory on this part of the west coast of Africa, over which the sovereignty and jurisdiction of the Portuguese Crown was fully recognized by the British Government, in Article II of the Convention of the 28th July, 1817,* additional to the Treaty between Great Britain and Portugal of the 22nd January, 1815,† and consequently beyond the jurisdiction of the General Government to which I am accredited, I cannot, therefore, call upon the authorities of this province to interfere in the present case; and under these circumstances, finding you in this port, it appears to me right that I should lose no time in bringing this important matter to your knowledge, in order that you may adopt such measures as may appear to you proper and necessary.

I have, &c.

The Hon. G. F. Hastings.

G. BRAND.

(Inclosure 4.)—*Commander Tudor to Commodore Fanshawe.*

SIR,

Firefly, Ambriz, December 16, 1849.

I HAVE the honour to inform you that having anchored at Loanda on the 1st instant for the purpose of coaling, I, on the next day, received orders from Captain Hastings to take Ambriz on my way to the Congo, and make inquiries concerning complaints from

* Vol. IV. Page 85.

† Vol. II. Page 348.

the merchants there, relative to a destruction of British property by fire, and the want of security felt for life and property.

On the evening of the 2nd instant *Cyclops* sailed, and that night a letter was brought to me addressed to Captain Hastings; the Portuguese who delivered it to me informing me that it was from Ambriz, I considered it my duty to open it. A copy of that letter, dated Ambriz, 29th November, I have the honour to inclose: having coaled, I, with *Pluto*, who had arrived for coals, sailed on the 4th instant, and on the 5th instant anchored at Ambriz, landed with Lieutenant Jolliffe, Commander of the *Pluto*, and inquired into the statements in the merchant's letters; finding, as far as one side of the question went, just ground to go upon, I demanded an interview with the Chiefs, which was fixed for the next day. On the morning of that day (6th instant) having to proceed in chase, in consequence of having granted *Pluto* permission to put her fires out, and clean her flues, and being detained by the chase and capture of the Brazilian slave-brig *Julia*, I did not land till after the hour named for the interview with the chiefs; fortunately, however, the chiefs had not arrived, and the next day was by them named for the meeting; I now despatched *Pluto* to the Congo, with orders for the *Star* to join me off Ambriz, and to bring with her my boats, which I had left guarding the Congo.

The day following (7th instant) proved an unusually boisterous one for this coast, with a strong breeze from the northward, and a very heavy bar; but, notwithstanding, considering that I had demanded the meeting with the chiefs, I considered it my duty to attempt landing. We passed the outer bar in safety, but broached to in the inner surf, when the galley was upset, and myself, Mr. Forster, clerk in charge, and the boat's crew, were obliged to swim for our lives, through a heavy beach surf, losing our uniforms, which we had, in consequence of the heavy rain, in carpet-bags, also the documents connected with this affair,—duplicates of all, with the exception of Mr. Brand's and Captain Hastings' letters, I have however been able to obtain; the boat, quite a wreck, eventually washed on shore. The chiefs had not arrived, nor did they come when I sent to inform them I was waiting for them. I therefore in consequence of their not attending to meet the charge brought against the natives by the merchants, had only to consider that it was a just one, and now gave the King and chiefs notice, that unless in 10 days indemnity was made for the loss sustained by fire, and full security given for the protection of life and property for the future, I would stop the trade at Ambriz—having first consulted with the merchants as to the time they would require for securing their property; offering them from 48 hours to a month, and the use of Her Majesty's steamer under my command, but 10 days

was named by themselves as quite sufficient; they also agreeing to stop trade with the natives at the same time.

I did not hesitate to tell the merchants that I availed myself not only of the opportunity to bring the King and chiefs to their senses, but also to effectually close for the time one of the most notorious slave-shipping points in Western Africa, by not only stopping the exportation of the slaves themselves, but also by stopping the importation of goods by which they are purchased.

I am happy to inform you, Sir, that the results of our interference have been favourable; indemnity for the past and security for the future having been given on the 15th instant, on which day I met the chiefs.

I have the honour, Sir, to inclose the agreement entered into by myself on the part of the Flag with the King and chiefs of Ambriz, as also the correspondence connected with this affair, and trust the line of conduct I have adopted will meet with your approbation.

I have, &c.

Commodore Fanshawe.

JOHN TUDOR.

(Inclosure 5.)—*Agreement with the King and Chiefs of Ambriz.*

AGREEMENT entered into between the King and Chiefs of Ambriz on the one hand, and John Tudor, Esq., Commander of Her Britannic Majesty's steam-sloop *Firefly* on the other.

THAT the subjects of Great Britain and all other nations engaged in lawful trade shall receive from the King and Chiefs of Ambriz full protection for life and property, and that every privilege that is granted to the subjects of one nation shall be granted to the subjects of all others.

Signed at Ambriz, this 15th day of December, 1849.

JOHN TUDOR.

their

MAFUCCA JIM THOMPSON, X Chief.

Authorized by the King.

MAFUCCA ANTONIO, X Chief.

MAMBUCO AMIALLI, X Chief.

MANGOBO ANDRIZ, X Chief.

marks.

Witnesses :

A. M. POWER.

S. AUGUSTUS FRYE.

ALBERTO SCHUTE.

EDWARD STAMISH.

JAMES HARRIS.

EDWIN J. FOSTER.

No. 205.—*Rear-Admiral Reynolds to the Secretary to the Admiralty.*
(Received July 15.)

SIR, Southampton, *cruising off Cape Frio*, April 8, 1850.

THE inclosed list of vessels from which slaves were landed on the Brazilian coast during the year 1849, being, as Commander Schomberg assures me, from Mr. Hesketh, Her Majesty's Consul at Rio de Janiero, may be assumed to be pretty correct, and I therefore beg to forward it for their Lordship's information.

The average price of slaves during the year is said to have been 50*l.* each, which, for this total of 45,980, would amount to 2,299,000*l.* I have, &c.

The Secretary to the Admiralty. B. W. REYNOLDS.

(Inclosure.)—*List of 83 Vessels from which Slaves were landed on the Brazilian coast during 1849.*

Number of Slaves landed, 45,980.

No. 212.—*Commodore Wyvill to the Secretary to the Admiralty.*
(Received August 1.)

SIR, Castor, May 10, 1850.

REFERRING to the 3rd paragraph of my letter of the 3rd instant upon the subject of Slave Trade, I beg you will inform my Lords Commissioners of the Admiralty, that Major Hamerton, Her Majesty's Consul at this place, in compliance with my request, has succeeded in obtaining from his Highness the Imaum of Muscat, in addition to the Treaties existing, authority which enables Her Majesty's ships to destroy barracoons erected on shore between Sanga Manara and Cape Delgado. I am sorry to say that some have been erected near the latter place by Banyans.

With this power I hope to suppress the great Traffic in Slaves which has been carried on between his Highness's dominions to the north of Cape Delgado and Ibo in the Portuguese territories.

I beg to inclose a copy of the correspondence, together with a translation of the Imaum's authority; and I request you will be pleased to call their Lordships' attention to the copy of a letter I felt it my duty to address to Major Hamerton upon the subject.

I trust these proceedings will meet their Lordships' approval.

In conclusion, I have further to request that you will inform their Lordships that the important Protocol to the Portuguese Treaty, dated 12th August, 1847,* for the suppression of the Slave Trade, will expire on that date this year, and I think it highly desirable this power should be renewed.

I have, &c.

The Secretary to the Admiralty. C. WYVILL.

(*Inclosure 1.*)—*Commodore Wyvill to Consul Hamerton.*

SIR,

Castor, Zanzibar, May 1, 1850.

REFERRING to the Treaty concluded by you between Her Majesty and the Imaum of Muscat for the suppression of the Slave Trade, dated the 2nd October, 1845,* I beg to inform you that I have reason to believe much of this trade is carried on between Cape Delgado and Guilloa (Keelwa), from which port his Highness has given permission for Her Majesty's ships to stop the export of slaves; but from the small force under my orders, I find it impracticable to detach a vessel to watch this coast for any length of time; and that then, unless authority be granted to Her Majesty's ships to enter the bays, ports, rivers, and creeks, in pursuit of slave-vessels, and also to destroy any barracoons or other arrangements which may be made on shore for purposes of Slave Trade, similar to that granted by Her Most Faithful Majesty the Queen of Portugal‡(in the Protocol dated the 12th August, 1847), which I beg to inclose for your information, the attempt to stop this illicit traffic would be futile.

I therefore think it would be highly desirable in carrying out the views of Her Majesty's Government that similar arrangements should be made with his Highness, and I beg to submit the same for your consideration, that if it be political you will move his Highness to grant such further power to Her Majesty's ships.

I have, &c.

A. Hamerton, Esq.

E. WYVILL.

(*Inclosure 2.*)—*Consul Hamerton to Commodore Wyvill.*

SIR,

Zanzibar, May 8, 1850.

I HAVE the honour to acknowledge the receipt of your letter of the 1st instant, and have the honour to inform you that I have succeeded in inducing his Highness the Imaum of Muscat to concede that authority you consider necessary for Her Majesty's vessels of war employed on this coast in suppressing the Slave Trade, viz. :

"To enter the creeks, rivers, bays, and ports between Sanga Manara and Cape Delgado, in pursuit of vessels engaged in the Slave Trade, and to destroy all barracoons or establishments found erected for the convenience of carrying on the Slave Trade."

With reference to your suppositions, mentioned in your letter now under reply, that the Slave Trade is carried on between Cape Delgado and the Imaum's dominions southward of Keelwa, I have to acquaint you that such is the case, and the slaves are taken from the ports in the Imaum's dominions to the Portuguese ports, and are collected near the mouths of rivers and creeks in barracoons for the convenience of being shipped on the arrival of the vessels. But this year, in consequence of the measures you have adopted, the Arab boats from the north, which have been in the habit of proceeding

southward of Zanzibar, have this season returned without being able to procure slaves.

I have the honour to inclose a copy of the Imaum's letter, granting the required permission, with an English translation of the same; the copy bears the seal and signature of his Highness the Imaum.

I have, &c.

Commodore Wyvill.

ATKINS HAMERTON.

(Inclosure 3.)—The Imaum of Muscat to Consul Hamerton.

CONFIDING in the Almighty.

May 6, 1850.

From the confiding slave of God's mercy, Saeed Ben Sultan.

To the dignified and exalted, and true friend, the kind and respected Major Hamerton, Her Majesty the Queen of England's Consul, may God preserve him, and render his times fortunate and happy.

Your excellent letter has reached, and your friend understood all you have mentioned, and with reference to the people of that quarter (place) from Sanga Manara to Tonghe, you say you wish permission for the ships of war of Her Majesty the Queen of England to enter the creeks, rivers, and harbours in which slaves are sold in violation of orders.

My dear friend, we and all belonging to us, even our countries, are at the disposal of Her Majesty, and should the men-of-war of Her Majesty the Queen of England require to enter the creeks, rivers, and ports, we are willing they should enter; we object not; and all ships or vessels found in those places to whomsoever belonging, if engaged in the Slave Trade, may be seized, and all barracoons or places erected for carrying on the Slave Trade may be burned or destroyed. We have no wish to the contrary, of yours, and with respect to the Banyan we will send and have him seized. Whatever you require of us we are ready. The sign is with you.

Dated 23rd day of Jamadee-ul-Akhir, 1266 (May 6, 1850).

The humble and weak

FAKIR SAEED (with his own hand).

(Inclosure 4.)—Commodore Wyvill to Consul Hamerton.

SIR, Castor, Zanzibar, May 8, 1850.

I HAVE the honour to acknowledge the receipt of your letter of this date, with its inclosures, in reply to mine of the 1st instant, informing me, that in compliance with my request, you had succeeded in obtaining from his Highness the Imaum of Muscat, authority to enable Her Majesty's ships and vessels of war to enter the creeks, rivers, bays, and harbours, between Sanga Manara and Cape Delgado, in pursuit of vessels engaged in the Slave Trade to whomsoever belonging, and also to destroy all barracoons or other establishments erected on shore for purposes of Slave Trade.

It gives me very great gratification to convey to you my thanks and acknowledgments for the prompt and energetic steps you have taken in bringing this matter to a conclusion; and I beg you will inform his Highness the Imaum, that Her Majesty's Government will, I am sure, view with much pleasure and satisfaction this further manifestation of friendship; also the additional support his Highness has thus rendered to the suppression of the abominable Traffic in Slaves in his own dominions.

I have, &c.

A. Hamerton, Esq.

C. WYVILL.

No. 220.—*Commodore Fanshawe to the Secretary to the Admiralty.*
(Received October 23.)

SIR, Centaur, West Bay, Princes Island, July 19, 1850.

I HAVE to request you will do me the honour to lay before the Lords Commissioners of the Admiralty the accompanying copies of a letter and journal which I have received from Lieutenant Forbes, of Her Majesty's brigantine *Bonetta*, detailing the particulars of his late mission with Mr. Beecroft to the King of Dahomey, with a statement of the expenses incurred by him.

Although the mission has not had an immediate satisfactory result, I still entertain a hope that it may lead to measures which will cause the abolition of the Slave Trade in the King's dominions.

The decision and intelligence manifested by Lieutenant Forbes on this occasion quite confirm the opinion which caused me to select him for the service, first to accompany the late Mr. Duncan, and I beg therefore to recommend him as an officer deserving their Lordship's approbation.

Lieutenant Forbes is the bearer of Mr. Beecroft's despatches to the Foreign Office, and also a letter from the King of Dahomey, and a present from him of 2 country cloths to Her Majesty the Queen.

I have, &c.

The Secretary to the Admiralty.

ARTHUR FANSHAWE.

(Inclosure 1.)—*Lieutenant Forbes to Commodore Fanshawe.*

SIR, Bonetta, West Bay, Princes Island, July 8, 1850.

IN inclosing my journal reporting my proceedings on my late mission to Dahomey, I have the honour to state that, May 14th, I landed at Whydah with Mr. Consul Beecroft, and arrived at Abomey May 26, where I remained 6 weeks; returned to Whydah and reembarked July 12, on board the *Bonetta*, and resumed the command of her.

Having had several interviews and conversations with His Majesty the King of Dahomey and his Ministers, I have formed the following conclusions:

1st. That the King of Dahomey will not give up the Slave Trade without some show of coercion.

2nd. That His Majesty's Ministers are one and all slave-dealers, and if the King was willing, he has not the power to treat.

3rd. That His Majesty's wealth has been much exaggerated.

4th. That there is no Dahomey nation, but a few chiefs holding feudal rights under a high chief, Gèzo. The case of Jim McCarthy, mentioned in my journal of proceedings, will point out the fear entertained of the stoppage of all trade.

His Majesty's recommendation to the Queen to stop the trade in the ports from Quittah to Lagos, illustrates the efficiency of such a demonstration on Whydah.

The King is about to make war on Abbeokuta; Mr. Beecroft and myself have explained to him that in Abbeokuta dwell many British subjects, and that Sagbus, the chief, has sought British protection.

If it were represented to King Gèzo, that if he makes war on Abbeokuta, he declares war upon England, it would perhaps save Abbeokuta, or enable you to stop the trade at Whydah, which, if the King does not open by relinquishing the Slave Trade, will in a very short time ruin the country.

A present of powder and musket-balls would raise the confidence of the Abbeokutians.

I have, &c.

Commodore Fanshawe.

F. E. FORBES.

(Inclosure 2.)—*Journal of Lieutenant Forbes, on his Mission to Dahomey.*

July 4.—At noon (it had rained hard all the morning) we arrived at the Palace, and at 1 P.M. were ushered into the audience *entrée* before described. There were present the Mayo, Camboodee, Eeavogau, Toonoonoo, and Caoupeh, and their coadjutors in the harem, and also Machaepah, all slave-dealers of a large scale. Besides there were Mudiki, Narwhey, Magelika, and John Richards, interpreters. Narwhey, one of the greatest slave-merchants, *soi-disant* servant of the English Fort, told Mudiki in conversation, that he was working against his own interest in explaining matters to us, saying that the Slave Trade was sweet to him; however, a true translation was given both ways by John Richards. After the usual compliments, the King asked us to make our statement, which was as follows:

“We have seen your customs and know your amount of expenses. Her Majesty the Queen of Great Britain, for the welfare of the human race, is anxious to stop the trade in slaves, and knowing you cannot relinquish it without an equivalent, has sent us, her Plenipotentiaries (“Ah Hausso Noo beh,” the Queen’s mouth), to

endeavour to arrange a Treaty. In the first place, we recommend you to cultivate the soil ; all the palm-oil and cotton you can produce cannot supply the British trade, and the present duties on vessels employed in legal trade being (if you stop the other) insufficient, we recommend you to raise it one-half. If you have enemies and are induced to war, make a Treaty of Trade with the chiefs of those countries, and instead of destroying, cause them to be tributary, and make your prisoners of war the means of enriching your own country by the cultivation of the soil. Beyond these means of making your country rich and your name everlasting, Her Majesty, for the term of 5 years, will yearly send you a present.

“The Treaty, if entered into, to be subject to ratification, and not to commence until the first instalment was received.”

In answer, His Majesty gave us a history of the foreign trade of Dahomey, from its earliest dates, and the continued good feeling that had always existed between his ancestors and the former Kings of Great Britain ; that throughout the Dahomans had sold slaves. He continued, “my people are a military people, male and female ; my revenue is the proceeds of the sale of prisoners of war. Did you, after you passed the swamp, except in the neighbourhood of towns, meet any farms ? Other nations deal in slaves, but not like me : they keep all the proceeds to themselves, I give mine to my people. I would wish the ports of Little Popoe, Ahgweh, Great Popoe, Porto Novo, and Lagos, to be forced to stop the Slave Trade, before I could treat. In the meantime, let the port of Whydah be thrown open to my Slave Trade ; not to all the merchants there, but to my agents, Charchar, Domingo José Martins, Joaquim, Antonio, Ignatio and Antonio de Souza ; let the ships belonging to these five pass free.” We explained to him that what he asked was impossible ; and the interpreters wishing it to be put down in a letter to the Queen, we gave them the short negative, which the King understood, and said

“Charchar has given me one ship, Domingo and Joaquim also one each, make a letter to the Queen to grant me a flag and protection for these three.” We explained that such was impossible, and again had to be expressive, and say No.

At this moment the King's countenance was almost blanched, his head down, his right hand rubbed his forehead, while his veins swelled, and in a tremulous voice, he added, “Write to the Queen, and ask her to direct her men-of-war to allow “one” ship to pass in my name to the Brazils, to carry a cargo of slaves and bring back goods for me.” Again we answered, No ; the removing of one slave would not be allowed if it could be helped.

If I stop the Slave Trade, how can the Meigau, the Mayo, &c., each of whom, and the merchants, Narwey, Ahjohbee, Queming, &c.,

who pay me 5,000 dollars annually (considerably exaggerated), duties and presents, afford to pay their customs. I cannot send my women to cultivate the soil, it would kill them. My people cannot, in a short space of time, become an agricultural people. War has destroyed all the neighbouring countries, and my people have to go far for food. All my nation—all are soldiers, and the Slave Trade feeds them."

We now explained to him that if he made his prisoners of war cultivate the soil at home instead of selling them to enrich a foreign land, they would soon be rich; and read to him a second time the Articles offered. Finding we could make no impression, we asked him to dictate a letter in answer to Her Majesty's oft-repeated request, telling him that his wishes regarding the flag and free egress from the port of Whydah was impossible to grant. The Mayo explained that if the Slave Trade was stopped, the King must send to the beach for sand to feed the people on. After some dispute he dictated as follows:

Abomey, July 4, 1850.

From Géo, King of Dahomey, to Her Majesty Queen Victoria.

Being desirous that the Slave Trade should be stopped in the minor ports prior to my entering into a Treaty, I have to request that you will endeavour to blockade the slave ports between Quittah and Lagos, and then I will endeavour to enter into an agreement for the stoppage of the Slave Trade in my own country.

At present my people are a warlike people, and unaccustomed to agricultural pursuits; I should not be enabled to keep up my revenue were I at once to stop the Slave Trade.

I am always desirous of being at peace with Great Britain.

I am anxious that some person should be sent as Governor to the Fort at Whydah; and having known him, should wish for Lieutenant Forbes, R.N.

Some years ago I entrusted 2 girls and 1 boy to the care of Mr. Freeman, I am anxious they should be returned.

I am anxious that missionaries should settle at Whydah.

his
GEZO ✕, *King of Dahomey.*
mark.

Witness to the royal mark.

JOHN BEECROFT, *Consul, Bights of Benin and Biafra.*

F. E. FORBES, *Lieutenant and Commander, H.M.S. Bonetta.*

This letter having been read to the King, Mr. Beecroft produced a copy of a letter from the Earl of Chichester, to Sagbus, Chief of Abbeokuta; we explained to His Majesty it was too evident he was going to war with that people, and that they were friends of the English people, and that English missionaries resided there. The King answered that he intended making war upon Abbeokuta, and

Mr. Beecroft had better warn the white men to leave. (I am convinced he means to attack Abbeokuta after these customs.) The Mayo declared that the 2 Kroomen I had seen last visit had not been found. The next question was concerning the imprisonment of John McCarthy; the King, evidently annoyed at these questions, ordered the Mayo to inquire about him.

Thus ended the palaver; and I am of opinion that future attempts, unless by force, will fail in causing Gézo to give up the Slave Trade, or his pride admitting him to accept a subsidy. What he recommends to be done to other ports, stopping all trade, if enforced at Whydah, and Lagos be destroyed, the Slave Trade in the Bights will be at an end. The King's selfishness does not save his agents. Little Popoe is almost a monopoly of the Charchar's; Great Popoe is of Joaquim Antonio; Porto Novo an enormous monopoly of Domingo José Martins.

In everything he said he illustrated simply a desire to enrich himself at the expense of his neighbours.

If his trade be stopped his power is done. At the head of a military nation, surrounded by enemies, he must have money, and would then treat for any trade.

In a word, nothing but coercive measures will cause Gézo and his Ministers to give up the Slave Trade.

F. E. FORBES.

*No. 225.—Commodore Fanshawe to the Secretary to the Admiralty.
(Received November 12.)*

SIR,

Centaur, Cabenda, August 8, 1850.

WITH reference to my despatch of the 19th ultimo, acquainting the Lords Commissioners of the Admiralty with the return of Mr. Consul Beecroft and Lieutenant Forbes, of the *Bonetta*, from their mission to Abomey, and transmitting Lieutenant Forbes's report, I have to request you will do me the honour to acquaint their Lordships that on conferring with Mr. Beecroft on the subject of the King of Dahomey's declared intention of making the Abbeokuta country the seat of his next war, I thought it desirable (in which opinion Mr. Beecroft concurred) to address the letter to His Majesty, the copy of which I herewith inclose, and I hope my doing so will be approved of.

This letter was given to Mr. Beecroft, to transmit to the agent of Messrs. Hutton, house at Whydah, in order to secure the King's having a proper knowledge of its purport, as well as the mercantile community of that place.

I beg you will also inform their Lordships that I have instructed the senior officer of the Bights' division, in the event of the mission-

aries at Badagry applying to him for powder and ball for their protection, to furnish it as far as he may be able.

I have, &c.

The Secretary to the Admiralty.

ARTHUR FANSHAWE.

(*Inclosure.*)—*Commodore Fanshawe to the King of Dahomey.*

SIRE,

Centaur, *Princes Island*, July 23, 1850.

I HAVE learned with extreme regret from Lieutenant Forbes, the officer of Her Majesty the Queen of England, my Sovereign, whom I sent to your capital of Abomey, that you have refused the proposals made to you by the directions of the Queen, to abandon the traffic of slaves in your dominions, and that you proposed making war on Abbeokuta, in the Yaruba country, for the object of obtaining more slaves for sale.

It becomes my duty, therefore, to apprise you that the people of Yaruba are the friends of Her Majesty the Queen of England, and that Her Majesty's Government will see with much displeasure any act of violence or oppression committed against them, and also, that there are dwelling at Abbeokuta, and in the Yaruba country, many British-born subjects and liberated Africans, whom they are bound to protect from injury, and that if they receive any from your hands, it will be considered an act of hostility against the Queen and the English people, and will cause the coast of your Majesty's dominions to be immediately invested and blockaded by Her Majesty's ships under my command, and all trade stopped.

I hope your Majesty will come to some wiser conclusion, and that God may so dispose you.

The King of Dahomey.

ARTHUR FANSHAWE.

No. 229.—*Commodore Fanshawe to the Secretary to the Admiralty.*
(*Received October 31.*)

SIR,

Centaur, *off Cabenda*, August 12, 1850.

I HAVE to request you will be pleased to acquaint the Lords Commissioners of the Admiralty that I have received information from the President of Liberia, dated June 4th, that the Liberian Government had succeeded in securing the territory, and extending its jurisdiction over the Gallinas, and all the territories, excepting a small tract owned by the Tuckers, for which they are negotiating up to Shebar; and that Liberian Commissioners were then in the Gallinas and Cape Mount countries, for the purpose of adjusting the disputes and settling the difficulties, and putting an end to the wars in those countries, and to open the road into the interior and encourage legitimate commerce; and the President also informs me

that it is his opinion there is no possibility now of the Slave Trade being revived at Gallinas or in that neighbourhood.

I have, &c.

The Secretary to the Admiralty.

ARTHUR FANSHAWE.

*No. 232.—Rear-Admiral Reynolds to the Secretary to the Admiralty
(Received November 7.)*

SIR, Southampton, *Rio de Janeiro*, August 30, 1850.

BY the *Spider*, which arrived to-day with the mails from the River Plate, I received the inclosed letter from Commodore Storer, which I beg to lay before their Lordships, as it terminates, I hope, the correspondence which I had the honour to transmit on the 23rd ultimo, and on which I requested their Lordships' instructions.

I have, &c.

The Secretary to the Admiralty.

B. REYNOLDS.

(Inclosure.)—Commodore Storer to Rear-Admiral Reynolds.

SIR, U.S. ship *Brandywine*, off *Monte Video*, August 16, 1850.

I HAVE the honour to acknowledge the receipt of your communication of the 22nd ultimo. I regret that the views you assign as those under which Captain Schomberg acted in his attempt to board the steamer *New World*, and which appear to have your approval, are such as I can in no event assent to.

The attitude which the Government of The United States has assumed on the subject of the right of visit of her merchant-vessels in time of peace is well known. American citizens, prosecuting a lawful commerce under the flag of their country, are not responsible for the abuse or the unlawful use of that flag by others; nor can they rightfully, on account of such alleged abuse, be intercepted or detained on the ocean. The Government does not admit that visit of American merchant-vessels by British cruisers is founded on any right, notwithstanding the cruiser may suppose such vessel to be British, Brazilian, or Portuguese.

I trust, therefore, that your orders to your squadron, to which you allude, may prevent the recurrence of similar attempts, which, if repeated, I am persuaded would seriously jeopard the kindly relations subsisting at present between our respective Governments.

I am, &c.

Rear-Admiral Reynolds.

GEO. W. STORER.

*No. 234.—Rear-Admiral Reynolds to the Secretary to the Admiralty.
(Received November 7.)*

(Extract.) Southampton, *Rio de Janeiro*, September 9, 1850.

I HAVE the honour to inclose, for the information of the Lords Commissioners of the Admiralty, a translation of a despatch from

the President of the Province of Bahia to the Brazilian General commanding the Forces, which has been transmitted to me by Her Majesty's Consul at Bahia, and which directs that the forts and batteries which guard the ports and coast, do use force to prevent the seizure of ships by foreign vessels.

The Secretary to the Admiralty.

B. REYNOLDS.

(Inclosure.)—The President of Bahia to the General Commanding the Forces.

(Translation.)

August 19, 1850.

HIS Majesty the Emperor having determined by circular order of 31st July last, conveyed through the Secretary of War, that this presidency do issue the most positive orders for the forts and batteries which guard the ports, bays, and coast of this province, to use force, in order to prevent the seizure of Brazilian ships as well as those of other countries by foreign vessels, it being the duty of the commander of these forts before employing such force, to warn the aggressor by firing without ball, that such vessels are in territorial waters and under the protection of the batteries, and further to authorize the said commanders that they request from the police or the National Guard the aid required for the service of the said forts, when the respective garrisons are not sufficient to repel such aggression; recommending also that persons be not allowed to remain near the scene of conflict or in the neighbourhood, who are not necessary to such defence. This I communicate to your Excellency for your information and due execution, requesting in time everything necessary respecting the above object, having already addressed despatches on this subject to the Chief of Police and to the Commanders of the National Guard of the municipalities of Cachoeira, Valença, and Itaparica, where such fortifications exist.

*No. 243.—Commodore Wyvill to the Secretary to the Admiralty.
(Received November 29.)*

SIR, *Castor, off Quillimane, July 9, 1850.*

REFERRING to my letter of the 8th instant, reporting the destruction of several slave-barracoons in the vicinity of Cape Delgado, within the dominions of His Highness the Imaum of Muscat, and that in consequence thereof I had sent Commander Bunce, of Her Majesty's ship under my command, in Her Majesty's steam-vessel *Dee*, to inform His Highness of the circumstance, also to deliver the 3 Banyans (prisoners) to Major Hamerton, Her Majesty's Consul to be brought to trial for being engaged in the Slave Trade; I have now the honour to forward, for the information of the Lords Commissioners of the Admiralty, a copy of Commander

Bunce's report of his proceedings, and of a letter from Major Hamerton on the subject.

Their Lordships will perceive by the Consul's letter to me, that the burning of the barracoons with the merchandize, &c., in them, has been of a very extensive nature; that the merchants of Zanzibar, Banyans, Arabs, and others have been the principal sufferers by it. The intelligence of their loss, together with the fact of the chiefs and natives delivering up to me the slave-agents (the 3 Banyans aforesaid), has spread the utmost alarm and confusion in Zanzibar. Some merchants are ruined and have fled, others are preparing also to leave that place.

His Highness has been pleased to approve my proceedings, and has condemned the dhow. Major Hamerton states the loss of property in the barracoons to exceed 150,000 dollars, independently of the buildings themselves.

I would here beg to call their Lordships' attention to these Banyans, who are natives of Cutch in the East Indies, and consequently, I believe, British subjects. I have long considered them to be connected with the Slave Trade, but not to the extent it has now been discovered. They are to be found in all the Slave Trade ports on this coast. The capitalists who reside at the larger ports, such as Zanzibar, Mozambique, and Ibo, employ agents of their own caste among the chiefs and natives, and themselves act as bankers and correspondents, procure the merchandize which is exchanged for the slave, and thereby conduct a large and profitable business, which the natives could not of themselves carry on. I therefore beg to suggest that the Government of India might proclaim to these people the consequences attached to this nefarious traffic, and cause some stringent measures to be adopted to prevent these proceedings. Such steps, I am inclined to think, would have a good effect upon these timid people, who would not wittingly persevere against the law. The Slave Trade being discontinued by them, would greatly discourage the natives on this coast in dealing with it.

The blockade of the Tongha Pass by the *Dee*, and of the rivers to the southward by the boats of Her Majesty's ship *Castor*, has prevented the exportation of any slaves from the coast to the northward, this season. Major Hamerton reports the vessels having returned without cargoes to Zanzibar. These measures, together with the burning of the 2 slave-depôts, will, I am led to believe, prove a fatal blow to the extensive business hitherto carried on with much impunity. From my information, I do not think a cargo of slaves will be procured by any vessel near Cape Delgado, so great is the alarm amongst the inhabitants.

Commander Bunce's report of the burning of these barracoons at Keonga, I annex herewith. The spirit and emulation displayed

by the force under his orders upon this occasion, as well as at Masani, I cannot too highly commend to their Lordships' notice. The destruction of these brutal markets has in both cases been completed, and happily without loss of life, which may be attributed to the suddenness of the attacks, conducted with much judgment by Commander Bunce, and to the great steadiness of the officers and men engaged.

It has given me much satisfaction that the *Dee* and boats of Her Majesty's ship *Castor*, which have been watching the coast for the last 9 months, under many difficulties, should have had this opportunity to distinguish themselves, and destroy the very markets from which they have prevented any exports.

It will be seen by the accompanying chart, that these barracoons were close on the borders of the Portuguese territories, and until His Highness the Imaum granted his authority to burn these depôts in his own dominions, they were doing business on a large scale both to the northward and southward.

I have, &c.

The Secretary to the Admiralty.

C. WYVILL.

(Inclosure 1.)—*Commander Bunce to Commodore Wyvill.*

SIR, *Castor, Tongha Bay, June 8, 1850.*

IN compliance with your orders of the 6th of June, I proceeded with the barge, pinnace, and the 2 cutters belonging to Her Majesty's ship *Castor*, and 2 cutters belonging to Her Majesty's steam-vessel *Dee*, to the River Mozamba, taking with me an interpreter, and one of the Banyan prisoners, who, upon consideration of his case being dealt lightly with, promised to show me an extensive slave establishment on the southern banks of the river. I entered the river, with the whole of the boats, a little after daylight yesterday morning; but from the lowness of the tide, and the shallowness of the water, they grounded within about $1\frac{1}{2}$ mile of the barracoons, which I distinctly saw between the trees. The red Arab flag was at first hoisted at the signal staff, and half an hour afterwards it was replaced by a white one, which I thought might possibly be a flag of truce, or, as is sometimes the case with the Arabs, a call to the surrounding inhabitants, and (as they term it themselves) putting their coast under the protection of Mahomet. The whole river side is so fringed with thickly-wooded mangrove bush, that it is quite impossible to penetrate it, and the difficulty was to find an opening which led up to the barracoons. The Banyan was, I thought, a little holding back, so I told him at once that if he showed me the opening, I would ask the Commodore to deal leniently with him, but that if he did not, and allowed me to miss it, I would shoot him on the spot. In a couple of hours the tide suited, and at about 8.30 A.M., we proceeded with the boats in line of battle, and suc-

ceeded in shooting them into a small opening which the Banyan pointed out.

We immediately landed, and wading through mud up to our knees for about 100 yards, fell the men in, and at the double marched up towards the barracoons. On approaching them the chief of the village came forward, and through the interpreter I found he was anxious to make peace. I halted the men, and went forward; he said the Arabs wanted to be friends with the English; that the barracoons belonged to the Banyans, not to them. I told him we did not want to war with the Arabs, that we would not hurt a hair of their heads, but that I should burn the barracoons, to whomsoever they belonged. A great number of Arabs were collected about, some in the bush in all directions, and some in the village, in parties of tens and twenties. In all I have no doubt he had collected about 200 men, all armed either with muskets or bows and arrows. I told him that I did not come to destroy his village, but if an Arab fired a single shot, I would burn it to the ground, and shoot every Arab in the place. I then placed the men in position, and commenced burning the barracoons, stores, sheds, &c., kraals and every thing connected with them. I had half a dozen men with portfires, whose particular duty it was to burn, and the whole place was in a blaze in no time. A dhow, of about 100 tons and upwards, measuring 52 feet in length, 18 feet in breadth, and 13 feet in depth, fitted for carrying slaves, was aground, and concealed in the mangrove bushes. I placed 20lbs. of powder under her bilge, the explosion of which destroyed her; a 6-pounder gun, intended, I suppose, for the protection of the establishment, stood on the brow of the hill, and pointed so as to command the pass through the mangrove bush; it was loaded and primed, and a match burning alongside it, from which it would appear that they at first intended to resist us, and possibly were deterred from doing so, by seeing the force we brought against them, consisting of one division of blue jackets, of 30 men, under Lieutenant Stirling, of Her Majesty's steam-vessel *Dee*; 20 marines, under Lieutenant Harris, R.M., with Lieutenant Reed of that corps; and another division of blue jackets of 30 men, under Lieutenant Hoskins, of Her Majesty's ship *Castor*; making about 90 in all, with the officers. The whole of the barracoons, and everything pertaining to them in the shape of store-houses being in full blaze, the dhow destroyed, the gun dismounted and hove into the mud, I re-embarked, and in proceeding down the river a few straggling shots were fired at us from the mangrove bushes, which were returned with interest from the 12-pound howitzers, loaded with shell and bags of musket balls, as well as the musketry. We met with no annoyance after that. None of our men were hit.

The name of the village close to the barracoons is Keonga, and

it stands on the southward bank of the River Mozamba, and about 5 miles from the entrance of the river.

I fear that in spite of our good intentions, the fire from the barracoons must have communicated with the houses of the inhabitants, and the whole, as at Masani, become one conflagration, which at 6 o'clock in the evening was seen over the land from Tongha Bay, burning with the same fierceness as at first.

These barracoons, store-houses, &c., were on a much larger scale than the ones at Masani, and capable of containing at least 4,000 slaves. We found no slaves in them; had there been, of course, being aware of our approach, they would have removed them. From the extensive and complete nature of this slave-establishment, enormous numbers of slaves must have been exported from it, both in the dhow trade to the northward, and to the Portuguese settlements to the southward, whence they are shipped off to the Brazils.

The Banyan whom I had with me, declared that the barracoons at Masani and Keonga were the only slave-establishments on the coast: so that the destruction of both in so surprising a manner, must not only be an enormous pecuniary loss to the dealers, but from the moral effect it will have on the Arabs, prove a death-blow to the Slave Trade on this coast, for a long time to come, more particularly when the Arabs see their villages burnt, and their property destroyed for conniving at a trade in the profits of which they but slightly participate.

On this occasion, as at Masani, I cannot say too much in praise of the zeal and activity of all the officers and men you did me the honour to place under my command. Your Secretary, Mr. Pritchard, also (as at Masani) accompanied me as a volunteer.

I have, &c.

Commodore Wyvill.

B. H. BUNCE.

(Inclosure 2.)—*Consul Hamerton to Commodore Wyvill.*

SIR,

Zanzibar, June 14, 1850.

ON the evening of the 11th instant I had the honour to receive your letter of the 8th instant, and received from Captain Bunce, commanding Her Majesty's steam-vessel *Dee*, all particulars relative to the seizure of the 3 Banyans engaged in the Slave Trade, and the destruction of the barracoons and the dhow.

I immediately wrote to His Highness the Imaum, and next morning at 9 o'clock waited on him at Matonee, accompanied by Captain Bunce and Lieutenant Stirling, when I explained all to His Highness. He requested me to give him all the necessary information in writing; I did so, and have the honour herewith to inclose a copy and a translation of His Highness's reply, wherein he has sanctioned and approved of all Captain Bunce's proceedings. The

Banyans will be punished in such a way as will deter others from engaging in the Slave Trade; indeed, they are already severely punished; they are ruined, and have lost all they ever made.

I have been assured by the native merchants at this place, that 50,000 dollars would not cover the losses sustained by Suckoo Kellangee, one of the Banyans seized at Tongha; he had, besides his own property, large consignments of goods belonging to other merchants stored in the barracoons, and promissory-notes from slave-dealers to purchase slaves and ivory at various periods, for goods delivered from time to time, all of which are destroyed, and one pice (money) will now never be recovered. Considerable property, said to amount to more than 40,000 or 50,000 dollars, in muskets, powder, brass-wire, and piece-goods, the property of many native merchants of this place, stored in the barracoons, is now all lost; in fact, it is impossible to say who has sustained the greatest loss.

However, this affair has done more to arrest the progress of Slave Trade in the dominions of His Highness the Imaum of Muscat than all that has ever been done heretofore. The consternation caused to all classes, Arabs, Indians, and all hands is difficult to describe.

I have, &c.

Commodore Wyvill.

ATKINS HAMERTON.

(Inclosure 3.)—*The Imaum of Muscat to Consul Hamerton.*

(Translation.)

3rd Shaban, 1266. July 14, 1850.

CONFIDING in the Almighty, from the expectant slave of God's mercy, Saeed-ben-Sultan.

To the most excellent the kind and true friend Major Hamerton, the Consul of Her Majesty the Queen of England. May Her Majesty's glory be perpetual, and may the Almighty preserve our friend, and make his days prosperous, and render his times happy.

Your kind letter has reached, and your friend understood all you mentioned and all that Captain Bunce has done in that quarter, such as seizing the Banyans and burning and destroying the barracoons, and likewise destroying the vessel found engaged in the Slave Trade. All has been well done, and meets with our entire approval. And with reference to the value of property burned and destroyed, we have heard that it is great, but we know not the exact amount.

And we hope in God that these proceedings will tend to open the eyes of the brute animals who do these things. And whatever you may require of us, the sign is with you and Salaam.

A. Hamerton, Esq.

SAEED, the humble Fakir,
with his own hand.

(Inclosure 4.)—*Commander Bunce to Commodore Wyvill.*

Dee, at sea, lat. 8° 16' S., long. 41° 5' E.,

SIR,

June 16, 1850.

I HAVE the honour to acquaint you that I arrived at Zanzibar in Her Majesty's steamer *Dee* on the 11th instant, and immediately put myself in communication with Major Hamerton, Her Majesty's Consul, relative to the 3 Banyan prisoners and the destruction of the barracoons and slave dhow at Masani and Keonga. I delivered the Banyans over to him, and they were immediately lodged in prison.

The Banyan Kumfee, who directed me to the barracoons at Keonga, will be dealt with more leniently than the others, according to the promise I made him.

The reply of His Highness the Imaum of Muscat, approving of our proceedings, and the despatch of Major Hamerton, together with a copy of a letter addressed to me by him, will put you in possession of my proceedings at Zanzibar.

From several papers taken from the Banyan prisoners, consisting of accounts and inventories, and from information received from the native merchants at Zanzibar, it would appear that the property lost and sacrificed, consequent on the destruction of the barracoons, is something enormous. The losses of Luckoo Kellangee alone (one of the prisoners) amounts to no less a sum than 50,000 dollars; and from information the Consul has received, considerable property in the shape of piece-goods, muskets, beads, brass wire, and powder, amounting in value to about 40,000 or 50,000 dollars, belonging to the native merchants at Zanzibar, was stored in the barracoons and totally destroyed. Ravigee Banyan, who was part-proprietor of the barracoons at Keonga, and who left Tongha some time before they were destroyed, was not at Zanzibar, but is well known there; and it is probable, from the losses he has sustained, and not being able to meet his creditors, he will never make his appearance there again.

It is difficult to describe the sensation caused at Zanzibar by the destruction of these slave-establishments. The Banyans are perfectly paralyzed; and it is not going too far to say that some of the Europeans and other merchants (not native) have burnt their fingers considerably. Goods supplied on credit, and, as is often the case, the payment depending on the successful termination of the speculation—all is lost. The consequent as well as the direct losses, I am led to understand from Her Majesty's Consul, are something very considerable; but, putting those losses on one side, the value of the property destroyed actually engaged in the Slave Trade must amount, at a low estimate, to at least 150,000 dollars. This appears a large sum, but when the magnitude of the scale upon which the

Slave Trade has been carried on in the neighbourhood of Cape Delgado is considered, it is comparatively but a small amount. Such has been the effect at Zanzibar: and as to the mainland, I doubt whether a Banyan could show himself within 50 miles to the northward of Cape Delgado without being shot by the Arabs.

I have, &c.

Commodore Wyvill.

B. H. BUNCE.

(*Inclosure 5.*)—*Consul Hamerton to Commander Bunce.*

SIR,

Zanzibar, June 14, 1850.

I HAVE the honour to acknowledge the receipt of your letter of the 11th instant, with its inclosures, all relative to your proceedings in the territories of His Highness the Imaum of Muscat, on the coast of Africa, the destruction of the 2 barracoons and the dhow engaged in the Slave Trade, also the capture of the 3 Banyans.

I have now to inform you that I explained to His Highness the Imaum the necessary information relative to your proceedings and this morning I had to receive from His Highness a letter confirmatory and approving of all your proceedings in this affair, a copy of the translation of which I herewith inclose, together with copy of my letter to the Commander-in-Chief, Commodore Wyvill.

His Highness the Imaum has expressed to me his entire approval of all your proceedings; and allow me to assure you that this affair has done more to check the Slave Trade and strengthen the authority of the Imaum on the coast, than anything which has been done heretofore.

I have, &c.

Commander Bunce.

ATKINS HAMERTON.

(*Inclosure 6.*)—*Chart.*

No. 244.—Commodore Wyvill to the Secretary to the Admiralty.

(*Received November 30.*)

Castor, Mafomale Island, East Coast of Africa,

SIR,

July 26, 1850.

I REQUEST you will acquaint the Lords Commissioners of the Admiralty, that on my visit to Johanna, in the early part of last month, the Sultan Selim, of that island, informed me that he had received a communication from the Chief of Angozha, begging him to use his influence for them to obtain peace and friendship with the English.

Considering it a good opportunity for aiding the Portuguese Government to re-establish its authority over this piratical place and its people, I received on board the *Castor*, for purposes of good faith and negotiation, Prince Drayman (nephew of Sultan Selim),

and 3 followers, and proceeded to Mozambique to consult with the Governor-General there upon the subject.

That officer having consented to receive any overtures of peace from the Chief of Angozha, I anchored off this island on the 12th instant, and on the following day sent an officer with Prince Drayman to Angozha, with directions to inform the Sultan that I could hold no communication with him, as he was a rebel to the Crown of Portugal, but that on his being reconciled with that Government, he would insure the friendship of the British.

This chief having expressed himself most anxious to meet my views and to acknowledge his obedience to Portugal, and having also pledged himself not to permit foreign Slave Trade in his district, or slave agents or slave property to remain therein, and agreed to establish friendly intercourse, I consented to give his officers a passage to the Portuguese authorities at Mozambique. I am glad to say that his offers of submission have been accepted, and I think he will adhere to his promises.

The position of Angozha is of more importance than is generally given to it; the town is large and thickly populated; it has many resources consequent on an extensive navigable communication with the interior of Africa. The fortification, though of rude structure, is strong and formidable for a savage tribe, being an embankment of mud and sand, faced and backed by heavy stakes, having 6 guns of various sizes mounted in embrasures which command the entrance to the only landing-place. It is one mile from the town, which is in the rear, screened by cocoa-nut and mango trees. There is a force of 4,000 muskets, besides bow-men and spear-men. The Sultan Hassan, who succeeded on the death of his father, 4 months ago, is an intelligent person of Persian origin, and about 40 years of age. He received the officers whom I sent with marked civility, by firing salutes and entertaining them at breakfast in a full court of the chiefs and elders from the surrounding country, and in whose presence he pledged himself to abolish the foreign Slave Trade in his dominions, nor to allow agents for that traffic to reside there, white or black; and that the English should always be treated in the most friendly way; that they should procure refreshments, and have free ingress and egress to his town and country. All his people were joyful upon the announcement of these peaceful manifestations.

I cannot but express my strong conviction that this desirable end has been promoted by the severe castigations these people have received from the boats of Her Majesty's ships within the last 3 or 4 years, which, without the authority of the late Protocol, dated 12th August, 1847, could not have been attained. I consider the establishing of friendly relations with Angozha as an advantageous acquisition as regards the suppression of the Slave Trade. It leaves

Quillimaine now the only chief port on this coast conducting this illicit pursuit.

I have, &c.

The Secretary to the Admiralty.

C. WYVILL.

No. 252.—Commodore Fanshawe to the Secretary to the Admiralty.

(Received January 7, 1851.)

SIR,

Centaur, off Cape Lopez, October 7, 1850.

WITH reference to my despatch to you of the 4th of February, I have to request you will be pleased to lay before the Lords Commissioners of the Admiralty, the inclosed copy of a report I have received from Commander Marsh, of Her Majesty's ship *Heroine*, of slaves delivered up to him by the Chiefs of Gallinas, between the 27th of February and 23rd of April, and which slaves were deposited in the slave-yard at Sierra Leone.

I have, &c.

The Secretary to the Admiralty.

ARTHUR FANSHAWE.

(Inclosure.)—List of 76 Slaves received on board H.M.'s sloop Heroine, from the Chiefs of Gallinas.

No. 253.—Commodore Fanshawe to the Secretary to the Admiralty.

(Received January 7, 1851.)

Centaur, at sea, lat. 4° 58' N., long. 4° 2' E.

SIR,

October 28, 1850.

MY letter to you of the 15th instant will have informed the Lords Commissioners of the Admiralty, that having communicated with Mr. Beecroft, Her Majesty's Consul at Fernando Po, I was about to proceed to Badagry, for the purpose of ascertaining from the missionaries at that place, what would be the position and wants both of themselves and their establishment at Abbeokuta, in case the King of Dahomey should execute his threat of making the Yaruba country the scene of his next war and slave-hunt.

I have now the honour to request you will inform their Lordships that I anchored off Badagry on the 21st, and sent Lieutenant Boys, of this ship, on shore, with a letter to Mr. Gollmer, in charge of the Church mission; and also to examine what assistance it might be practicable for the cruisers to render, if required, and that I have the satisfaction of learning by Mr. Gollmer's reply to me, a copy of which I beg to inclose for their Lordships' information, as well as from Lieutenant Boys' report, that the present position of their Christian establishments was one of comparative security, which was likely to be confirmed by my arrival in the roads and communication with them, and Lieutenant Boys visiting the chiefs; and that I have given to Captain Adams, of the *Gladiator*, the senior officer of the division, instructions to meet the wishes of the missionaries as far as practicable, until the period for the Dahoman war is past.

I ascertained from Captain Adams, that my letter to the King of Dahomey, on the subject of his war on Abbeokuta, a copy of which I have already forwarded for their Lordships' information, was landed at Whydah last month for transmission through the means of Mr. Hastie, the agent of Messrs. Hutton, but as that gentleman has been since unfortunately drowned, I have not been able to learn whether it reached His Majesty. No canoes are now permitted to come off to our men-of-war at Whydah.

I have availed myself of this visit to the Bights to communicate with all the cruisers of the division, and I am happy to inform their Lordships that I have found them all healthy, for I hope the *Gladiator* need not longer be considered an exception. I have also anchored off Quittah and Whydah, and am now returning to Princes Island and the South Coast, to meet the *Niger* and the September mail.

I have, &c.

The Secretary to the Admiralty.

ARTHUR FANSHAWE.

(*Inclosure.*)—*Messrs. Gollmer & Von Cooten to Commodore Fanshawe.*
SIR, *Church Mission House, Badagry, October 22, 1850.*

WE beg to acknowledge the receipt of your kind letter of yesterday's date, and to express that we all, myself and brother missionaries, British merchants and liberated Africans, here, are greatly indebted to you for the very lively interest you take in our behalf, and the essential service you have rendered to us by the kind measures you have adopted, in sending ships of war to inquire as to our safety, and your own timely appearance.

The position of our friends at Abbeokuta, the Rev. H. Townsend and Mrs. Townsend, the Rev. J. Smith and Mrs. Smith, the Rev. D. Hinderer, with our native missionary, the Rev. S. Crowther, and the large band of native Christians, is comparatively a safe one, as they can rely on the protection of almost all the powerful chiefs and people at that place. Mr. Townsend, however, to whom I will forward your esteemed letter, will no doubt avail himself of your kind request to inform you as to their real position.

As regards ourselves at Badagry, where the majority of the chiefs and people are greatly influenced and stimulated by the slave-traders, we can scarcely tell what is our true position, and what to-morrow will bring forth: some are friendly, and many would expel us, if we were not protected by the ships of war; but we do believe (or hope) that the frequently appearing of ships of war in our roads, and an occasional visit from Her Majesty's officers, will deter them from doing us any harm.

It is astonishing the effect created in our town, by the appearing of a ship of war, by a visit of an officer, or even by the firing of a few guns.

In accordance with your kind offer to render us any assistance we may deem it desirable as regards our safety, we would request the favour, if convenient, to instruct ships of war frequently to call in here, so that in case of danger we may receive their protection; that we may be visited by some of Her Majesty's officers; and that a few guns may be fired, as if exercising; and may we request that you will now favour us by discharging a few guns, which we trust will have the anticipated effect upon those who are still inimical to us.

This is the only assistance we, for the present, deem necessary, and therefore beg to decline your offer to supply us with arms and ammunition.

As regards the Dahoman invasion, we know so much, that Dahomey has an old grudge against the town especially, and would unquestionably destroy it if British residents were removed. We therefore do not know whether we shall be molested from that quarter or not.

The marauding expeditions of Dahomey generally take place during the months of December and January, and we would request the favour that our position may be remembered by you during that time.

In conclusion, we beg to return our sincere thanks for your great kindness to us and to our work, in helping us to maintain our position, and thus furthering the holy cause in which we are engaged; it is truly encouraging to us to be thus supported. May the blessing of God rest upon you and your endeavours to ameliorate our poor benighted sable brethren.

We have, &c.

C. A. GOLLMER.

Commodore Fanshawe.

E. C. von COOTEN.

P.S.—The Wesleyan ministry has gone to Cape Coast for a short time.

No. 254.—Commodore Fanshawe to the Secretary to the Admiralty.

(Received January 7, 1851.)

SIR,

Centaur, Princes Island, November 2, 1850.

I HAVE the honour to transmit for the information of the Lords Commissioners of the Admiralty and Her Majesty's Government, a copy of a letter which I have received from the President of Liberia, complaining of the conduct of our agent, Mr. Parker, at the Gallinas in thwarting the views and endeavours of the Liberian Commissioners to put an end to the native wars in that district, and requesting his removal.

If Mr. Parker has so acted, he has exceeded any instructions he has received from me; and I have directed the senior officer of the

north division to call upon him for an explanation, and to remind him that the object of his being placed there was to obtain the slaves promised to be given up to us by the chiefs, and to watch against any attempts on their part to renew a Slave Trade, and to discourage all native wars.

I would at the same time beg to call the attention of their Lordships to the acquisition Liberia has obtained of jurisdiction over the Gallinas territory, and extension of the Liberian Republic westward, as stated in the President's letter.

I have replied to the President, that Mr. Parker, in interfering with the Liberian Commissioners, had acted without instructions, and that I should bring his application under the immediate notice of Her Majesty's Government.

Notwithstanding his Excellency's assurance in the last paragraph of his letter, I consider it would be premature to withdraw our agent, as the representative of British influence in that district, as yet, until the Liberian jurisdiction was established and acknowledged.

I have, &c.

The Secretary to the Admiralty.

ARTHUR FANSHAWE.

(Inclosure.)—The President of Liberia to Commodore Fanshawe.

SIR,

Government House, Monrovia, August 15, 1850.

I HAD the honour a month or two ago of informing you that the Liberian authorities had succeeded in purchasing several tracts of country between Cape Mount and Shebar, and that this Government had also acquired the jurisdiction of the Gallinas territory.

In our negotiations with the Gallinas chiefs, we engaged to interpose, and settle as soon as practicable the disputes which for many years have existed between the Gallinas chiefs and the inhabitants of certain towns in the interior part of the Gallinas country; accordingly, some weeks ago, Commissioners were sent to assemble the parties and arrange the difficulties between them, and put an end to the wars.

I regret to have to inform you that the Commissioners failed in accomplishing, to the extent anticipated, the objects of the mission. The Commissioners inform me, which information is corroborated by the testimony of others, that their failure is attributable to the improper interference of Mr. Parker, who is at Gallinas to receive the slaves that the Gallinas chiefs stipulated to deliver to Her Majesty's Government to be conveyed to Sierra Leone.

While at Gallinas in April last negotiating for that territory, the chiefs wished me to aid them in a military expedition against the inhabitants of these towns, which I peremptorily declined; but assured them that measures would be immediately adopted to bring about a reconciliation without resort to force, which I had every

reason to believe would be easily effected, though the chiefs were anxious to prosecute the war, they nevertheless consented to my proposition. Subsequently, however, Mr. Parker induced them to make an attack upon those towns, and actually aided them in so doing with the Kroomen he had on shore with him, and promised to obtain further assistance from Her Majesty's ships. His excuse is, I learn, that the slaves the Gallinas chiefs pledged themselves to deliver to you had taken refuge amongst these people, which is doubtless true. But, Sir, I am aware that it is not your wish, or the wish of Her Majesty's Government, that any such means should be resorted to to obtain the number of slaves specified in the agreement. More of the identical slaves cannot be delivered; and Mr. Parker knows it is not your wish that he should even encourage war to obtain others in their stead. He, however, has not truthfully represented to you, or the senior officer of this division of your squadron, the real state of affairs at Gallinas, and the difficulties in the way of obtaining the required number of slaves.

I am not ignorant, Sir, of the object he has in view, and that the excuse he makes is a mere pretext. I beg, therefore, Sir, most respectfully to call your attention to Mr. Parker's conduct, and if consistent, that you will dispense with his services on shore at the Gallinas.

With respect to the Slave Trade, I assure you no slave establishment can ever again be placed there. I have, &c.

Commodore Fanshawe.

J. J. ROBERTS.

*No. 261.—Commodore Fanshawe to the Secretary to the Admiralty.
(Received February 10, 1851.)*

SIR,

Centaur, at sea, December 16, 1850.

I HAVE the honour to request you will be pleased to lay before the Lords Commissioners of the Admiralty the inclosed copy of an extract from a letter, with inclosures, which I have received from Commander Patten, senior officer of the North Division, acquainting me, I lament to say, with the murder of Mr. Parker, our Agent at the Gallinas, by some of the natives, and of the active and judicious steps he was taking in consequence.

I have, &c.

The Secretary to the Admiralty.

ARTHUR FANSHAWE.

*(Inclosure 1.)—Commander Patten to Commodore Fanshawe.
(Extract.)*

THE first intimation I received of the murder of Mr. Parker was on anchoring off the Gallinas, the 28th October, and sending to communicate with him. No person was seen at his late residence, all having taken flight, including part of the Kroomen; but the

officer I sent obtained the inclosed information from a Mr. Gordon, a native secretary to Prince Manna. I then proceeded to Mesurado, to ascertain if the President of Liberia had taken, or was about to take, possession of the Gallinas, acquainting him of what had transpired, and that active measures might or might not be taken, that we might not interfere with each other, and then proceeded immediately to the Gallinas and sent the accompanying letter to the chiefs; but, previous to its reaching them, I received the inclosed letter from them on the 26th October, although dated the 21st October, with the 4 Kroomen and their arms, who were detained by the persons connected with the murder, which shows that Prince Manna had been misrepresented. I should have proceeded further to communicate with the chiefs in the interior, but I had made arrangements to meet Careybah Caulker on the 28th, with reference to various communications I had received from the Governor of Sierra Leone, about the revival of slavery through his territory, &c., copies of which I have already transmitted you; but he has not met me, and will again engage my attention, after I have settled the affairs at the Gallinas, where I am again about to proceed, taking the *Prometheus* with me, and then to the President of Liberia, agreeably to your directions, and trust to make a favourable report by the next opportunity.

The communication from the chiefs shows a proper disposition, and I trust they will act as they should do on this serious occasion.

The statement made by the head Kroomen and others now on board, who saw Mr. Parker shot, says they proceeded up the river to obtain some rice, and on firing a gun to draw attention (after landing) it burst and killed the person who fired it (one of his own men), and while the Kroomen were conveying the body to the canoe, some one inside a stockade shot Mr. Parker in the side, and he then fell down; they then ran out, chopped him on the head and back with a cutlass, and threw his body into the river, after taking the clothes off.

On Prince Manna hearing what had occurred, he ordered the body to be conveyed to its late residence and interred; and no doubt the murderer and those concerned are in the hands of the chiefs; there was no quarrelling, and the person who shot Mr. Parker did not deny it to the Kroomen. It appears there was a former misunderstanding, and some mystery about it. The various stories are so contradictory, I fear I shall not get at the real facts until I meet the chiefs and have a formal inquiry. My impression is, they are in no way concerned; and I hope my next report will show they have acted openly and fairly; that justice has been done for the murder and insult offered to the flag of Her Britannic Majesty, by the murderers being given up or punished with death; if not, I

shall take such prompt measure as the case may require after the investigation.

Commodore Fanshawe.

FRED. PATTEN.

(Inclosure 2.)—Commander Patten to the Chiefs of the Gallinas.

Hound, off Gallinas, October 24, 1850.

YOU are no doubt fully aware that on the 11th instant some persons connected with Prince Manna barbarously and brutally murdered Mr. Parker (holding an official appointment under Her Britannic Majesty's Government, and claiming its protection), by shooting him, then cutting his head off, and throwing his body into the river, plundering his habitation, and I hear detaining some of the Kroomen.

I have to direct your particular attention to this serious and brutal murder; and request, on the receipt of this, you will make proper arrangements to meet me at the Mina, on my return to the Gallinas, about the 11th November, which will give you ample time and opportunity to secure the persons engaged in this cowardly and treacherous event, and to be delivered to me or other authority. In failing to do this, I shall consider the outrage was sanctioned by Prince Manna, and act accordingly; acquainting you all that I have been informed since the murder, that taking Mr. Parker's life was contemplated, in consequence of his preventing the Slave Trade being tampered with, and revival of the Slave Trade at Gallinas, which you all signed, promised to fulfil, and the Treaties with your respective marks are now before me.

The Kroomen (also claiming the protection of Her Majesty's Government), with the British colours, arms, ammunition, &c., and Mr. Parker's property, the Spanish galley, and slaves that were ready to embark, to be at Mina, at the residence of the late Mr. Parker, and delivered over to me or other authority on my return, when I will fire 2 guns, and land immediately afterwards as a signal, if the state of the beach will admit.

In addressing you as Chiefs and Princes, I cannot for one moment imagine that you are such bad men as to countenance such a cruel, wicked, treacherous, and cowardly assassination, or offer such an indignity to the flag of Her Britannic Majesty, but that you will be as anxious and ready to make every reparation in your power, by bringing the criminals immediately to justice, as I am to do my duty, in the event of this communication not meeting the earliest attention.

I have, &c.

The Chiefs of the Gallinas.

FRED. PATTEN.

No. 264.—*Commodore Fanshawe to the Secretary to the Admiralty.*

(Received February 24.)

(Extract.)

Centaur, Sierra Leone, January 15, 1851.

IN my letter of the 16th December, I requested you to lay before the Lords Commissioners of the Admiralty, the copies of documents which I had received from Commander Patten, senior officer of the Sierra Leone Division, acquainting me with the murder at the Gallinas, of Mr. Parker, who was stationed there as British Agent, and of his intention to repair to the Gallinas for the purpose of following up an investigation respecting it, and calling upon the chiefs for explanation and redress.

With reference to this melancholy event, I have now the honour to inclose, for their Lordships' information, an extract from a report which I have since received from Commander Patten, acquainting me that after a long examination of witnesses, Kroomen and natives, he became fully convinced that Prince Manna and probably other chiefs of that district had been accessory to the murder of Mr. Parker; and Prince Manna having refused to come to him, and being unable to obtain satisfaction by any explanation, or by the murderer being given up, he had inflicted summary punishment by destroying Manna's town of Gindamar, and Weston Roger's town of Gerado.

I regret that the necessity should have arisen for this hostile act against chiefs with whom I had within the twelvemonth concluded a Treaty of amity; but from a perusal of the evidence, and information from different parties, and from the circumstance of Prince Manna and others of the chiefs refusing to meet Commander Patten, I am convinced they must have been implicated in the transaction, and that the actual murderer belonged to one of Prince Manna's towns, and that it was absolutely necessary a severe example should be made for such an atrocious outrage upon one of Her Majesty's servants and flag; and I therefore have expressed my approbation to Commander Patten, for the promptitude and determination with which he acted after giving notice of what he required, and ample time for the chiefs to comply.

It was one of those cases that so frequently occur in intercourse with native chiefs, where any forbearance or procrastination is sure to be misinterpreted, and where at the same time it is extremely difficult to distinguish the actual principal.

The Secretary to the Admiralty.

ARTHUR FANSHAW.

(Inclosure.)—*Commander Patten to Commodore Fanshawe.*

(Extract.)

Hound, November 25, 1850.

WITH reference to my communications of the 4th and 7th instant, acquainting you with the murder of Mr. Parker, and my being about

to proceed again to the Gallinas, I have to report that on the evening of the 12th instant I anchored with Her Majesty's steam-sloop *Prometheus* off that place, and early the following morning landed, under the impression the criminals would immediately be brought to justice, from the previous communications I had made.

On the following day, Prince Western Rogers and his brother arrived, and as I could not obtain satisfactory explanations or the murderer, I proceeded 6 miles up the river with all the boats manned and armed to Prince Manna's town (Gindamar), and burnt it to the ground, and returned in the evening.

Nothing transpired to remove, but everything to confirm, my recent opinion, that Prince Manna (principally) and other chiefs were in some way concerned in this murder, or they never would have acted so inconsistently, and I told the chiefs so, and proceeded the following day to Prince Western Rogers' town (Gerado), 9 miles up another river, and burnt it to the ground, returning again to Minah; it being too late to cross the bar that evening, the following morning proceeded on board with all the boats, and I am happy to say without loss of life, sickness, or accident.

Both towns were large and strongly barricaded; the people were numerous (several hundreds), and well armed, and no doubt would have fought, had their chiefs led them, but they took flight. On entering the barricades I wished to point out their future danger, if they did not take active measures to apprehend the murderer.

Nothing more could be accomplished then without risk of sickness to the officers and men, by remaining longer on shore and being employed up rivers, and I sent the accompanying communication, dated 17th November, to Prince Manna and the other chiefs, and detached the *Prometheus* to join Captain Adams' division, availing myself of being towed to Mesurado by her.

I returned to the Gallinas on the 24th instant, and communicated in person with the Princes Rogers, but nothing then occurred or had during my absence. I transmitted a copy of a letter I had received from Mr. Gordon, with reference to my last communication to Prince Manna and the chiefs, and am led to hope, for their own sakes, the criminal will be brought to justice from what has already transpired and what may follow.

I will make the best arrangements I can to have a vessel constantly off the Gallinas, when I have one at my disposal, until the Government of Liberia establish themselves, which the President informs me will be very soon, as he was about to send Commissioners there.

In conclusion, it is due to the officers, seamen, and marines employed, that I should acquaint you that the prompt and orderly manner in which the duties were performed reflected much credit on

them the 3 days they were actively employed absent from their vessels, and without sickness.

Commodore Fanshawe.

FRED. PATTEN.

No. 267.—*Rear-Admiral Reynolds to the Secretary to the Admiralty.*
(Received March 12.)

SIR, Southampton, *Rio de Janeiro*, January 11, 1851.

I BEG to transmit, to be laid before the Lords Commissioners of the Admiralty, a letter from Her Majesty's Consul at this port to Mr. Hudson, inclosing returns showing the number of Africans landed on the neighbouring line of coast during the latter 6 months of the years 1847, 1848, and 1849, which, compared with the number landed during the last 6 months of 1850, shows a diminution to the extent of nearly four-fifths on the average of the 3 first years alluded to.

This is interesting and encouraging; but, on the other hand, I had intelligence last week, of a Brazilian official having been bribed with 4,000 milreis to allow a vessel intended for the Slave Trade to have her clearance.

I have, &c.

The Secretary to the Admiralty.

B. REYNOLDS.

(Inclosure 1.)—*Consul Hesketh to Mr. Hudson.*

SIR, *Rio de Janeiro*, January 3, 1851.

FINDING it impossible to complete for the *Petrel* packet the annual Slave Trade Report ordered by Her Majesty's Secretary of State for Foreign Affairs, I have the honour, in compliance with your instruction, to inclose a return showing the number of slaves landed on the neighbouring line of coast during the latter 6 months of the 3 years 1847, 1848, and 1849, averaging upwards of 24,400 slaves.

And I have also inclosed a return showing all the particulars of the landing of slaves along the same part of this coast during the 6 months ending 31st December, 1850, showing that during the latter half of 1850, the total number of slaves landed on the same extent of coast was 5,108, or very little more than a fifth of the average landed in the corresponding periods of the 3 preceding years.

This return also shows, that out of 11 vessels employed on that importation of slaves, with none have the slave-dealers succeeded in their former practice of forthwith dispatching them on another voyage to Africa, all the 11 having been either burnt, sunk, or seized.

Whereas in the latter half of the year 1849, upwards of 22,000 slaves were disembarked from 37 vessels, and only 1 vessel seized, the remaining 36 being left to the undisturbed employment of their lawless owners.

The pilot boat-rigged schooner *Joven Maria* does not appear in the return for the last half year, having been captured by a Brazilian cruiser at sea, with 291 Africans, who have been brought into this

harbour; and circumstances encourage the expectation that the effectual step of seizing these Africans, and of at once rescuing them from bondage, will, during the forthcoming half year, mark that essential advancement on the measures of suppression enforced during the last six months.

I have, &c.

J. Hudson, Esq.

ROBERT HESKETH.

(*Inclosure 2.*)—*Return of the Number of Slaves disembarked from Africa on the Brazilian Coast, between Campos and Santos, during the 6 Months ending December 31 in each of the 3 following Years.*

Last six months.			Number of Slaves.	Total.	Average of half-years.
1847	..	..	23,500	73,248	24,419
1848	..	..	27,750		
1849	..	..	22,098		

ROBERT HESKETH.

(*Inclosure 3.*)—*Return of 5,103 Slaves landed within the Province of Rio de Janeiro, between July 1, and December 31, 1850.*

No. 268.—*Rear-Admiral Reynolds to the Secretary to the Admiralty.*
(*Received March 17.*)

SIR, Southamton, *Rio de Janeiro*, January 13, 1851.

IN my letter of the 4th instant, relative to the *Cormorant* having proceeded to Bahia, to demand that any slave-vessels in that port should be seized by the Brazilian authorities, I mentioned that the *Cormorant's* mission was a preliminary step to the consideration of the withdrawal of the suspension of my standing order for seizing slavers in the ports of Brazil. I have had a consultation with Mr. Hudson, and from the refusal of the Brazilian Government to come into Lord Palmerston's views, we mutually consider that it is advisable to withdraw at once the suspension alluded to; and I have consequently issued to-day the general memorandum to that effect, of which I have the honour to transmit a copy for their Lordships' information.

I have, &c.

The Secretary to the Admiralty.

B. REYNOLDS.

(*Inclosure.*)—*Order issued by Rear-Admiral Reynolds.*

GENERAL MEMO.

(Extract.) Southamton, *Rio de Janeiro*, January 13, 1851.

THE respective captains, commanders, and commanding officers of Her Majesty's ships and vessels under my command, are hereby

informed, that my Standing Order No. 16, dated 22nd June last, is to be again in force from this date; but in every instance communication must always be first made to the commanding officer of any fort, or to the chief Brazilian authority, inviting him to co-operate in an amicable spirit to seize vessels engaged in the Slave Trade, and to enforce the Brazilian laws against them.

To the respective Captains, &c.

on the South-east Coast of America.

B. REYNOLDS.

CLASS B.—LIST OF PAPERS.

AFRICA.

No.		Date	SUBJECT.	Page
Consular:		1850		
1.	Viscount Palmerston to Consul Beecroft	May 18	Cotton expedition about to sail for the West Coast	310
6.	" "	Aug. 16	Presents due to King Peppel of Bonny	310
7.	" "	Aug. 16	Presents due to the Chiefs of the Old Calabar and of Bimbia	311
8.	" "	Sept. 18	Abolition of human sacrifices in the Old Calabar	312
9.	Consul Beecroft to Viscount Palmerston	July 22	Report of his mission to Abomey	312
10.	Viscount Palmerston to Consul Beecroft	Oct. 11	Refusal of King of Dahomey to abolish Slave Trade. War with Abbeokuta	317
14.	" "	Oct. 23	Intention of King of Dahomey to make war upon Abbeokuta	319
16.	" "	Dec. 11	Appointment of Mr. Fraser as Vice-Consul at Whydah	319
18.	Consul Beecroft to Viscount Palmerston	Oct. 15	Report of his visit to Bonny and New Calabar	320
19.	" "	Oct. 14	Presents due to the King of Bonny. Ill-feeling of that Chief	324
20.	" "	Oct. 16	Disposition of King Ammacree of Old Calabar.	325
22.	Viscount Palmerston to Consul Beecroft	Feb. 18	Commercial Treaties concluded with Kings of Bonny and New Calabar	325
24.	" "	Feb. 20	Authority to conclude a Treaty with the Chief of Lagos	325
25.	" "	Feb. 21	Proposed Anti-Slave Trade Treaty with the Chief of Lagos	327
33.	Consul Beecroft to Viscount Palmerston	Jan. 4	Commercial Treaties with Chiefs of Bimbia and the Cameroons	328

BRAZIL.			1851	
40.	Viscount Palmerston to Mr. Hudson	April 3	Brazilian Anti-Slave Trade Law of 1831.	
			Proposed repeal	332
42.	Mr. Hudson to Viscount Palmerston	Feb. 20	Proposed measures against Slave Trade	333
43.	" "	Feb. 20	Brazilian Anti-Slave Trade Law of 1831.	
			Proposed repeal	337
49.	Viscount Palmerston to Mr. Hudson	April 13	Capture of <i>Santa Cruz</i> by H.M.'s steamer <i>Cor-morant</i>	339
52.	M. de Amaral to Viscount Palmerston	April 17	Complaint of seizure of the <i>São Sebastião, Paquete de Santos, Santa Cruz</i>	339
			Reply to preceding	342
53.	Viscount Palmerston to M. de Amaral	April 30	Protest against proceedings of H.M.'s ships	346
55.	M. de Amaral to Viscount Palmerston	May 13	Brazilian Port Regulations about vessels sailing by night	347
57.	Mr. Hudson to Viscount Palmerston	Mar. 23	Reply to note of May 13	348
60.	Viscount Palmerston to M. de Amaral	June 11	Alleged breach of Port Regulations of Brazil by H.M.'s ships	348
61.	Mr. Hudson to Viscount Palmerston	May 12	Infractions of Treaty. Note to Brazilian Government	350
62.	" "	May 12	On proposal for sending captured negroes to Portuguese African colonies	353
63.	" "	May 12	Attack on crew of the cutter of H.M.'s steamer <i>Rifleman</i> . Murder of one of her crew	354
72.	Viscount Palmerston to Mr. Hudson	Aug. 5	Protest against search of vessels in Brazilian waters	354
73.	Mr. Hudson to Viscount Palmerston	July 27		

No.			Date 1850	SUBJECT.	Page
75.	Mr. Hudson to Viscount Palmerston		July 27	Murder of a seaman of H.M.'s steamer <i>Rifleman</i>	356
85.	"	"	July 27	Proceedings in the Senate respecting Slave Trade.	357
86.	"	"	July 27	Proceedings in Chamber of Deputies	359
87.	"	"	July 27	New Project of Anti-Slave Trade Law	362
93.	"	"	Aug. 3	Measures of Sardinian Minister to prevent Sardinian flag being used in Slave Trade	363
94.	Viscount Palmerston to Mr. Hudson		Oct. 15	Attack on H.M.'s steamer <i>Cormorant</i> by the Fort of Paranaguá. Seaman killed	363
95.	"	"	Oct. 15	Outrages perpetrated by slave traders against British subjects at Rio..	364
97.	"	"	Oct. 15	On state of relations with Brazil on the Slave Trade question	365
101.	M. de Amaral to Viscount Palmerston		Oct. 30	Complaint of the capture of the <i>Polka</i> at Macahé	368
106.	Mr. Hudson to Viscount Palmerston		Sept. 2	Anti Slave Trade Circular issued by the President of St. Paul's	369
107.	"	"	Sept. 2	Statutes of Anti-Slavery Society at Rio	372
109.	"	"	Sept. 2	Outrages perpetrated by slave traders against British subjects at Rio..	372
112.	"	"	Sept. 9	Anti-Slave Trade Law passed	377
113.	"	"	Sept. 9	Bill for sale and administration of waste lands in Brazil	377
114.	Viscount Palmerston to Mr. Hudson		Nov. 8	Draft of New Convention to be proposed to Brazil	378
116.	Viscount Palmerston to M. de Amaral		Nov. 11	Reply to complaint of the capture of the <i>Polka</i> at Macahé	378
119.	Mr. Hudson to Viscount Palmerston		Oct. 10	Statutes of Anti-Slavery Society at Rio	379
126.	"	"	Oct. 10	Assassination of a seaman of H.M.'s steamer <i>Rifleman</i>	380
128.	"	"	Oct. 10	Non-fulfilment of Slave Trade Treaty by Brazil. Emancipados	381
129.	Viscount Palmerston to Mr. Hudson		Nov. 30	Order issued to Brazilian forts to use force against H.M.'s ships	382
134.	"	"	Dec. 4	Anti-Slave Trade assurances of the Brazilian Government	383
136.	"	"	Dec. 4	Slaves emancipated by the Mixed Commission at Rio	384
138.	"	"	Dec. 27	Crews of condemned Brazilian slavers	385

No.			Date	SUBJECT.	Page
			1850		
139.	Mr. Hudson to Viscount Palmerston		Nov. 11	Course intended to be pursued by the Brazilian Govnt. as to Slave Trade	385
140.	"	"	Nov. 11	Recognition of Liberia by Brazil	388
142.	"	"	Nov. 11	New law against Slave Trade, and regulations for enforcing it	388
143.	"	"	Nov. 11	New class of vessels intended to be used in Slave Trade	391
151.	"	"	Nov. 11	Law for Management and Sale of Waste Lands in Bengal	391
			1851		
153.	Viscount Palmerston to Mr. Hudson		Jan. 17	New Brazilian Anti-Slave Trade Law	392
154.	"	"	Jan. 23	Intention of Brazilian Government to send the emancipados to Liberia	393
155.	"	"	Jan. 23	New Brazilian Anti-Slave Trade Law	394
			1850		
163.	Mr. Hudson to Viscount Palmerston		Dec. 17	Further Decree for the regulation of the Anti-Slave Trade Law of September 4, 1850	394
			1851		
165.	Viscount Palmerston to Mr. Hudson		Feb. 8	Destruction of barracoons at Masani and Keonga, on east coast of Africa, by boats of H.M.'s ships <i>Castor</i> and <i>Dee</i>	394
166.	Mr. Hudson to Viscount Palmerston		Jan. 8	H.M.'s steamer <i>Cormorant</i> fired on at Paranguá. Redress demanded	395
171.	"	"	Jan. 11	Brazilian Government not earnest in their endeavour to suppress Slave Trade	397
172.	"	"	Jan. 11	Orders to H.M.'s cruisers to seize slavers in Brazilian waters again put in force	399
173.	"	"	Jan. 11	Slaves imported into Brazil during the last 6 months of 1847, 1848, 1849, and 1850	404
177.	"	"	Feb. 11	Number of slaves imported in 1850	406
183.	"	"	Feb. 11	Attack on H.M.'s steamer <i>Cormorant</i> at Paranguá	406
184.	"	"	Feb. 11	Ditto	408
185.	"	"	Feb. 11	Hostile collisions between H.M.'s ships and Brazilian forces	412
187.	"	"	Feb. 11	Anti-Slave Trade measures taken by Brazilian police	414
189.	"	"	Feb. 11	Seizure of slaves by the chief of police at Rio	415

No.		Date. 1851	SUBJECT.	Page
192.	Mr. Hudson to Viscount Palmerston	Feb. 11	Operations against slave vessels within Brazilian waters	415
195.	Viscount Palmerston to Mr. Hudson	Mar. 21	Renewal of search and seizure of slavers within Brazilian waters	419
196.	" "	.... Mar. 29	Slave trading establishments on the coast of Brazil	419
198.	" "	.... Mar. 29	Proposed expulsion of foreign slave traders from Brazil	420
200.	" "	.... Mar. 29	Negroes emancipated by the Mixed Commission at Rio de Janeiro	420
202.	" "	.... Mar. 29	Attack on H.M.'s steamer <i>Cormorant</i> by the Fort of Paranaguá	420
203.	" "	.... Mar. 29	Attacks made on H.M.'s ships by Brazilian forts.	422
204.	" "	.... Mar. 29	Slave trading establishments at Cape Frio, &c.	422
205.	" "	.... Mar. 29	Slavers condemned by Brazilian tribunals	422
206.	" "	.... Mar. 29	Renewal of Anti-Slave Trade measures within Brazilian waters	423

BRAZIL (BAHIA).

Consular :		1850		
209.	Viscount Palmerston to Consul Porter	May 15	To keep Her Majesty's Naval Officers informed of the movements of slavers	425
211.	Consul Porter to Viscount Palmerston	May 13	Report on Slave Trade. Sailing of slaver <i>Segunda Melvira</i>	425
215.	Viscount Palmerston to Consul Porter	Oct. 4	To make returns of prices of slaves	426
217.	Consul Porter to Viscount Palmerston	Sept. 7	Order issued to Brazilian forts to use force against Her Majesty's ships	426
225.	" "	.... Nov. 18	African boatmen prohibited from plying for hire at Bahia	428
226.	" "	.... Dec. 31	Returns of prices of slaves from 1825 to 1850	429
227.	" "	.... Dec. 31	Report on the state of the Slave Trade	429
		1851		
228.	" "	.... Feb. 13	Report of recent occurrences with respect to Slave Trade	432
230.	" "	.... Feb. 15	Slaves landed in Province of Bahia from 1847 to 1850	432
231.	Viscount Palmerston to Consul Porter	Mar. 29	To warn Her Majesty's subjects against unfounded alarms raised by slave traders	433

BRAZIL (PARAIBA).

No.	Date	SUBJECT.	Page
Consular:	1851		
240. Consul Newcomen to Viscount Palmerston	Feb. 15	Annual report on Slave Trade for 1850	433

BRAZIL (PERNAMBUCO).

Consular:	1850		
247. Viscount Palmerston to Acting Consul Christophers	Oct. 19	To communicate information on Slave Trade to Mr. Hudson	434
255. Acting Consul Christophers to Viscount Palmerston	Dec. 21	Increase of Slave Trade in Pernambuco	435
	1851		
256. Viscount Palmerston to Acting Consul Christophers	Feb. 19	Disapproval of his having given certificate to the slaver <i>Echo</i>	435
257. Acting Consul Christophers to Viscount Palmerston	Jan. 29	Report on state of Slave Trade	436
258. " " " "	Feb. 12	Ditto	436

BRAZIL (RIO GRANDE DO SUL).

Consular:	1850		
260. Consul Morgan to Viscount Palmerston	Oct. 1	Cessation of Slave Trade in the Rio Grande	439
261. " " " "	Nov. 30	Anti-Slave Trade Law passed for Rio Grande do Sul	440

BRAZIL (RIO DE JANEIRO).

Consular:	1850		
262. Consul Hesketh to Viscount Palmerston	Mar. 14	Annual report on Slave Trade for 1849	441
265. " " " "	June 5	Attack on boats of H.M.'s steamer <i>Rifleman</i> at Santos	448
269. " " " "	Aug. 3	Report of first meeting at Anti-Slavery Society at Rio	450
270. " " " "	Sept. 9	Public installation of Anti-Slavery Society at Rio	451
	1851		
273. " " " "	Feb. 8	Annual report for 1850....	453
274. Viscount Palmerston to Consul Hesketh	Mar. 29	Query as to white immigrants into Rio in 1849 and 1850	457

DENMARK.

	1851		
275. Viscount Palmerston to Sir Henry Wynn	Jan. 15	Case of Spanish slaver <i>Deseada</i>	457

FRANCE.

No.	Date 1850	SUBJECT.	Page
279. The Marquis of Normanby to Viscount Palmerston	Aug. 1	Slave Trade said to be carried on from the Gaboon. Explanation.	458
280. Viscount Palmerston to the Hon. R. Edwardes	Sept. 11	Slave Trade said to be carried on from the Gaboon. Thanks for orders issued	462
1851			
282. Viscount Palmerston to M. Marescalchi	Mar. 4	No fraudulent use of the French flag in 1850	462

MUSCAT.

1850			
284. Viscount Palmerston to Major Hamerton	Sept. 18	Permission given to Her Majesty's ships to enter bays, &c. between Sanga Manara and Cape Delgado. Thanks	463
1851			
285. " "	Feb. 8	Destruction of slave trading establishments at Masani and Keonga	463
1850			
286. Major Hamerton to Viscount Palmerston	Oct. 14	Treaty concluded with the Sultan of Johanna...	463

PERSIA.

1850			
290. Lieutenant-Colonel Sheil to Viscount Palmerston	Feb. 20	Importation of slaves into Mohamrah	464
291. " "	July 22	Continued importation of slaves into Persia in Persian vessels	465
292. " "	Sept. 16	Ditto	466
293. " "	Oct. 23	Ditto	466
294. Viscount Palmerston to Lieutenant-Colonel Sheil	Dec. 13	Ditto	469
295. Lieutenant-Colonel Sheil to Viscount Palmerston	Nov. 19	Ditto	469
1851			
296. Viscount Palmerston to Lieutenant-Colonel Sheil	Mar. 8	Non-observance of Anti-Slave Trade Firmans of the late Shah	472
297. Lieutenant-Colonel Sheil to Viscount Palmerston	Jan. 22	Slave Trade in the Persian Gulf.....	472
298. " "	Feb. 7	Ditto	473
299. " "	Feb. 23	Ditto	473

PORTUGAL.

No.	Date 1850	SUBJECT.	Page
302. Viscount Palmerston to Hon. H. G. Howard	April 15	Slavers built in the Tagus	473
304. Viscount Moncorvo to Viscount Palmerston	April 19	<i>Galianna</i> restored at Loanda. Request for payment of costs and damages	474
305. " " 	April 20	Disposal of negroes emancipated by the Mixed Commission at Loanda..	475
306. Viscount Palmerston to Hon. H. G. Howard	April 29	Slavers built at Lisbon and Oporto	477
307. Viscount Palmerston to Viscount Moncorvo	April 30	Case of the <i>Galianna</i> restored at Loanda	477
312. Viscount Palmerston to Hon. H. Howard	May 16	Appointment of Senhor J. J. da Cruz Forte to be Sub-Delegado at Benguela	478
313. Hon. H. G. Howard to Viscount Palmerston	May 18	Slavers built in the Tagus	478
316. " " 	June 7	Increase of Slave Trade from Portuguese possessions on the West Coast denied	479
320. Viscount Palmerston to Hon. H. G. Howard	June 20	Slave traders residing in Angola. Barracoons in Portuguese possessions.	480
322. " " 	July 13	Proposed abolition of the Mixed Commissions at Jamaica and the Cape Verds	481
323. Hon. H. G. Howard to Viscount Palmerston	July 8	Report of Minister of Marine on question of abolishing slavery	481
324. Viscount Palmerston to Hon. H. G. Howard	July 31	Slave Trade carried on from Portuguese possessions on the West Coast	484
325. " " 	July 31	Slave Trade carried on from Portuguese possessions on the East Coast.	485
326. Viscount Palmerston to Viscount Moncorvo	July 31	Ditto	486
327. Viscount Palmerston to Hon. H. G. Howard	July 31	Proposed abolition of slavery in Portuguese colonies	486
331. Viscount Palmerston to Viscount Moncorvo	Aug. 10	Proposed renewal of powers granted to H.M.'s ships within Portuguese waters on the East Coast	487
332. Hon. H. G. Howard to Viscount Palmerston	Aug. 8	Proposed abolition of the Mixed Commissions at Jamaica and the Cape Verds	488
335. " " 	Aug. 28	Return of late Governor of Quillimane with a fortune supposed to have been made by Slave Trade	489
337. " " 	Sept. 7	Proposed abolition of the Mixed Commissions at Jamaica and the Cape Verds	490

No.		Date 1850	SUBJECT.	Page
338.	Chevalier de Ribeiro to Viscount Palmerston	Sept. 14	Refusal of H.M.'s Commissioner at Loanda to acknowledge Dr. Catella as Portuguese Commissioner	492
339.	Hon. H. G. Howard to Viscount Palmerston	Sept. 12	Slave Trade from the Portuguese possessions in Africa	493
340.	Viscount Palmerston to Chevalier de Ribeiro	Sept. 26	Disposal of negroes emancipated by the Mixed Commission at Loanda	494
341.	Viscount Palmerston to Hon. H. G. Howard	Sept. 30	Proposed abolition of the Mixed Commissions at Jamaica and the Cape Verds	495
343.	" "	Oct. 11	Slave Trade from Portuguese possessions in Africa	496
345.	" "	Oct. 30	Re-appointment of Senhor Almeida as Governor of Benguela	498
348.	Sir H. Seymour to Viscount Palmerston	Nov. 8	Slave Trade from Portuguese possessions in Africa. Right of sovereignty over Ambriz	499
350.	Chevalier de Ribeiro to Viscount Palmerston	Nov. 14	Draft of Protocol, for renewing powers granted by H.M.'s ships within Portuguese waters on the East Coast of Africa	502
352.	" "	Nov. 23	Disposal of slaves emancipated by the Mixed Commission at Loanda	503
353.	Sir H. Seymour to Viscount Palmerston	Nov. 9	Right of sovereignty over Ambriz	505
355.	Viscount Palmerston to Chevalier de Ribeiro	Nov. 28	Disposal of negroes emancipated by the Mixed Commission at Loanda	507
356.	Viscount Palmerston to Sir H. Seymour	Nov. 30	Slave Trade from Portuguese possessions on the West Coast of Africa	507
357.	" " ...	Nov. 30	Slave Trade carried on at Loanda. Offenders screened by Government officials	508
361.	Sir H. Seymour to Viscount Palmerston	Nov. 28	Dismissal of Senhor Almeida from the Governorship of Benguela	508
363.	Chevalier de Ribeiro to Viscount Palmerston	Dec. 2	Slavery still exists at Prince's and St. Thomas'	508
365.	Viscount Palmerston to Sir H. Seymour	Dec. 12	Proposed abolition of the Mixed Commissions at Jamaica and the Cape Verds	509
367.	Viscount Palmerston to Chevalier de Ribeiro	Dec. 14	Disposal of negroes emancipated by the Mixed Commission at Loanda	510
369.	Sir H. Seymour to Viscount Palmerston	Dec. 8	Proposed abolition of the Mixed Commissions at Jamaica and the Cape Verds	511
374.	" "	Dec. 16	Submission of the Chief of Angozha	512

No.		Date 1850	SUBJECT.	Page
376.	Chevalier de Ribeiro to Viscount Palmerston	Dec. 31	Submission of the Chief of Angozha	513
		1851		
380.	Viscount Palmerston to Sir H. Seymour	Jan. 13	Geographical position of Ambriz	514
385.	" "	Jan. 16	Proposed abolition of the Mixed Commissions at Jamaica and the Cape Verds	514
394.	Sir H. Seymour to Viscount Palmerston	Jan. 27	M. Sá da Bandeira's project of law for emancipation	515
396.	Viscount Palmerston to Sir H. Seymour	Feb. 8	Destruction of slave trading establishments at Masani and Keonga'	516
399.	" "	Feb. 19	Objection made by the Governor of Quillimane to H.M.'s ship <i>Dee</i> entering that port	517
403.	" "	Feb. 19	Praiseworthy conduct of Governor Do Valle of the Mozambique	525
412.	Sir H. Seymour to Viscount Palmerston	Mar. 6	Objection made by the Governor of Quillimane to H.M.'s ship <i>Dee</i> entering that port	525
416.	" "	Mar. 14	Cultivation of cotton attempted in Portuguese African possessions	526
419.	" "	Mar. 18	Portaria respecting removal of slaves from Africa to the Cape Verds	527

PORTUGAL (CAPE VERDS).

Consular:		1849	
421.	Consul Rendall to Viscount Palmerston	Oct. 30	Report on Slave Trade on the West Coast
		1850	
422.	" "	Feb. 5	Ditto

PORTUGAL (LISBON).

Consular:		1851	
428.	Consul Smith to Viscount Palmerston	Mar. 19	Return of Portuguese slave traders from Brazil

PORTUGAL (LOANDA).

Consular:		1850	
434.	Vice-Consul Brand to Viscount Palmerston	Sept. 26	Regulations of the coasting trade of Angola
		1851	
440.	" "	Jan. 13	Report on Slave Trade ...

SARDINIA.

No.	Date. 1851	SUBJECT.	Page
442. Viscount Palmerston to Sir R. Abercromby	Mar. 20	Alleged intention of slave traders of Bahia to use the Sardinian flag	546
444. Sir R. Abercromby to Viscount Palmerston	Mar. 20	Note urging that Slave Trade may be declared piracy {.....	546

SPAIN.

		1850	
445. Viscount Palmerston to M. Isturiz	July 9	Increase of Slave Trade in Cuba	548
446. M. Isturiz to Viscount Palmerston	July 11	Reply to preceding	550
447. " "	Aug. 9	Strict orders against Slave Trade issued by the Spanish Government	550
448. Viscount Palmerston to M. Isturiz	Aug. 31	Importation of slaves into Cuba. Thanks for orders issued	552
450. Viscount Palmerston to Lord Howden	Aug. 31	Importation of slaves into Cuba	554
452. " "	Sept. 17	New Convention to be proposed to Spain, on basis of that proposed in 1840	555
454. Lord Howden to Viscount Palmerston	Oct. 8	Note proposing new Convention	556
455. Viscount Palmerston to Lord Howden	Oct. 23	Ditto approval of	558
457. " "	Nov. 5	Demand for slaves in Cuba owing to deaths from cholera	558
459. Lord Howden to Viscount Palmerston	Oct. 24	Refusal of Spanish Government to conclude the proposed new Convention	559
460. " "	Oct. 24	Alleged connivance of Captain-General of Cuba in Slave Trade. Proofs asked for by Spanish Government	560
465. M. Isturiz to Viscount Palmerston	Dec. 14	600 slaves landed at Cardenas from the brig <i>Brazil</i> in May, 1850	561
		1851	
471. Viscount Palmerston to Lord Howden	Mar. 17	Proposal for extending the powers of the Mixed Court at the Havana	562
474. " "	Mar. 27	Commission appointed at the Havana to take charge of the Emancipados	563
475. Viscount Palmerston to M. Isturiz	Mar. 27	Ditto	564

SPAIN (HAVANA).

No.		Date	SUBJECT.	Page
Consular :		1850		
479.	Acting Consul-General Kennedy to Viscount Palmerston	April 20	British slave-holders in Cuba. Refusal of Captain-General to allow notice to be inserted in the Gazette	565
494.	Consul-General Crawford to Viscount Palmerston	Dec. 24	Appointment of a Commission to take charge of the emancipados.....	568
497.	" "	1851 Jan. 21	Ditto	570

TRIPOLI.

		1850		
522.	Consul-General Crowe to Viscount Palmerston	Mar. 26	French subject, Hadji Mahomet Boballa, accused of slave trading	571
523.	" "	April 10	2 slaves taken by a Souf caravan from Ghadames to Nefta, in Regency of Tunis'	575
524.	" "	May 20	444 slaves taken from Tripoli to Constantinople by Turkish war-steamer <i>Esseri Djedid</i>	576
525.	Vice-Consul Herman to Viscount Palmerston	May 23	1,200 slaves brought by the great caravan from Wady	576
527.	Consul-General Crowe to Viscount Palmerston	1851 Jan. 17	Returns of slaves exported from Regency of Tripoli in 1850	577
528.	" "	Jan. 27	Prohibition against embarkation of slaves in Turkish ships of war....	578

TURKEY.

		1850		
529.	Viscount Palmerston to Sir Stratford Canning	April 11	Slave Trade from Tripoli to Turkey and the Levant	578
530.	Sir Stratford Canning to Viscount Palmerston	May 10	Ditto	579
531.	" "	May 17	British subjects at Smyrna owners of slaves	580
533.	" "	June 18	Slaves imported from Tripoli in Turkish war-steamer <i>Esseri Djedid</i>	580
534.	Viscount Palmerston to Sir Stratford Canning	July 16	Slave Trade from Tripoli to Turkey and the Levant	581
535.	Sir Stratford Canning to Viscount Palmerston	Aug. 19	Embarkation of slaves in Turkish ships of war prohibited	581
537.	Viscount Palmerston to Sir Stratford Canning	Sept. 19	Slaves purchased by British subjects in the Levant	582
539.	Sir Stratford Canning to Viscount Palmerston	Nov. 2	Ditto. Circular to Consuls	582
540.	" "	Nov. 16	Embarkation of slaves in Turkish ships of war prohibited	583
541.	Viscount Palmerston to Sir Stratford Canning	Dec. 14	Ditto. To thank	583

No.		Date 1851	SUBJECT.	Page
543.	Sir Stratford Canning to Viscount Palmerston	Jan. 20	Alleged transport of slaves by steamers of the Austrian Lloyd's Company	584
544.	" "	Jan. 24	Embarkation of slaves in Turkish ships of war prohibited	585
545.	Viscount Palmerston to Sir Stratford Canning	Feb. 19	Alleged transport of slaves by steamers of the Austrian Lloyd's Company	585

TURKEY (PREVESA).

Consular :		1851		
49.	Consul Saunders to Viscount Palmerston	Feb. 10	Arab slaves imported for sale from Candia	585
550.	" "	Feb. 26	Ditto	588

UNITED STATES.

553.	Sir H. L. Bulwer to Viscount Palmerston	1850 April 15	Brazilian Slave Trade carried on in United States' ships	591
554.	" "	April 28	Ditto	592
556.	Viscount Palmerston to Sir H. L. Bulwer	June 29	Seizure of 6 slavers with forged United States' papers	592
559.	" "	Aug. 23	As to co-operation of British and American squadron on the West Coast	593
565.	" "	Nov. 5	Co-operation of British and American officers on the African station	594
569.	" "	Nov. 23	Protest made by Commodore Storer against the visit of ships wearing United States' colours	595
576.	Sir H. L. Bulwer to Viscount Palmerston	1851. Jan. 27	Anti-Slave Trade motion made by Mr. Clay in the Senate. Liberia, &c.	596

VENEZUELA.

577.	Mr. Belford Wilson to Viscount Palmerston	1850 April 13	Act 6 and 7 Vict., cap. 98. Notice issued to British subjects	606
582.	" "	Aug. 24	2 children of Bahama negress Louisa set free by General Beluche	609
590.	Viscount Palmerston to Mr. Belford Wilson	Dec. 2 1851.	Gold medal for General Beluche	610
597.	Mr. Belford Wilson to Viscount Palmerston	Jan. 7	British subjects kidnapped and sold in Venezuela	611
599.	" "	Jan. 29	Delivery of gold medal to General Beluche	613

AFRICA.

CONSULAR.

No. 1.—Viscount Palmerston to Consul Beecroft.

SIR,

Foreign Office, May 18, 1850.

I HAVE to inform you that several eminent mercantile and manufacturing firms in this country have combined for the purpose of testing by practical experiment the possibility of procuring a supply of cotton from the west coast of Africa; and that the parties in question have purchased 2 vessels, the *Firefly* and *Georgiana*, and are about to send them out from Liverpool, laden with manufactures suited to the consumption of the African coast, under the management of Mr. J. K. Straw, a person who is said to have had many years' experience in trading on that coast.

The vessels are first to proceed to Monrovia, the port of Liberia, and thence along the coast, bartering their cargoes for cotton where it may be procurable, but for other native produce where cotton cannot be obtained.

The promoters of this expedition do not imagine that in the first instance they will succeed in collecting much cotton; but they propose to take on board in Liberia a number of free negroes who have been accustomed to the culture of cotton in America.

The *Firefly* and *Georgiana* are well provided with cotton seed, which it is intended to sow at different stations along the coast; and the *Georgiana*, the smaller of the 2 vessels, is to remain on the coast, in order to collect the produce of the sowing at maturity, visiting at the same time Dahomey and other places, where it is conceived that cotton is already growing and may be collected.

I have now to instruct you to give every assistance in your power to this expedition, and to promote, by exerting your influence with the King of Dahomey and other native chiefs, the object which it has in view, and which, if attended with success, is calculated to have an important influence on the civilization and welfare of the natives of the African Continent.

I am, &c.

J. Beecroft, Esq.

PALMERSTON.

No. 6.—Viscount Palmerston to Consul Beecroft.

SIR,

Foreign Office, August 16, 1850.

I HEREWITH transmit to you a copy of the Treaty* for the suppression of the Slave Trade, which was concluded in your presence on the 21st November, 1848, by Captain Eden, on behalf of Her Majesty, with King Peppel and the chiefs of the River Bonny, by which it is stipulated that an annual present of goods of

* Vol. XXXVI. Page 873.

British manufacture, to the value of 2,000 dollars, shall be granted to King Peppel.

On the conclusion of this Treaty, King Peppel made a statement to Captain Eden, a copy of which I inclose, of the articles with which he would wish to be supplied for the first annual present; and on the visit of Her Majesty's ship *Rattler* to the River Bonny, at the close of last year, he stated to Commander Cumming, that he wished to be supplied for the second annual present with 1,000 dollars' worth of muskets, long Danes, flint-locks, and 1,000 dollars' worth of powder, Tobin's H. B.

The articles named by King Peppel to Captain Eden for his first present not having yet been forwarded to him, I have requested the Lords Commissioners of Her Majesty's Treasury to cause those articles, as well as those which he requested from Commander Cumming for his second present, to be forthwith prepared, and to be sent to the Admiralty in order to be forwarded to you; and I have now to instruct you to repair, as soon after you shall have received them as may be compatible with your health and with your other arrangements, to the River Bonny, and to deliver them to King Peppel, provided that you shall be satisfied that the Treaty has been duly observed.

You will state to King Peppel, on delivering the presents, that Her Majesty's Government regret that owing to accidental circumstances the delivery of his first annual present has been so long delayed; and you will inquire what articles he desires to be furnished with for his third present.

You will make to me a full report of the proceedings which you may take in pursuance of this instruction. I am, &c.

J. Beecroft, Esq.

PALMERSTON.

No. 7.—Viscount Palmerston to Consul Beecroft.

SIR, *Foreign Office, August 16, 1850.*

WITH reference to my other despatch to you of this day's date, relative to the delivery to King Peppel, of the River Bonny, of the presents which are due to him by Her Majesty's Government, I have to inform you that Her Majesty's Government think it desirable that all presents which may from time become due to native chiefs of Africa, whose territories lie between Capes St. Paul and St. John, the limits of your jurisdiction, should be presented to them by you. I have accordingly requested the Lords of Her Majesty's Treasury to cause the fourth annual present which is due to King Eyo and Duke Archibong, of the Old Calabar River, and the second present which Her Majesty's Government intend to make to King William of Bimbila, to be forwarded to you for delivery to those chiefs.

If it should happen that on any occasion you are not able to go yourself to deliver the presents to the chiefs, without materially interfering with your other duties, you will in such case request the senior officer commanding in the Bights of Benin and Biafra to cause the presents to be delivered by one of His Majesty's naval officers.

I am, &c.

J. Beecroft, Esq.

PALMERSTON.

No. 8.—Viscount Palmerston to Consul Beecroft.

SIR,

Foreign Office, September 18, 1850.

I HEREWITH transmit to you for your information, an extract from the 55th number of the "Missionary Record of the United Presbyterian Church," reporting the circumstances under which a law for the abolition of human sacrifices was enacted and promulgated in the Old Calabar River in the month of February last.

You will take the earliest opportunity of expressing to the Chiefs of that river the great gratification with which Her Majesty's Government have received the intelligence of the important advance which has thus been made by those Chiefs in the path of humanity and civilisation.

I am, &c.

J. Beecroft, Esq.

PALMERSTON.

(Inclosure.)—Extract from the "Missionary Record" for July, 1850.

No. 9.—Consul Beecroft to Viscount Palmerston.—(Rec. Oct. 11.)
(Extract.) *Bonetta, West Bay, Prince's Island, July 22, 1850.*

I HAVE the honour to communicate to your Lordship my proceedings since my last, dated the 4th of May.

I sailed from Fernando Po on the 5th, and arrived at Whydah on the 10th, in Her Majesty's steamer *Phoenix*, and landed on the 14th of May, accompanied by Commander Forbes. Left with the presents for the King of Dahomey on the 21st, and arrived at Abomey on the 26th, and was graciously received by His Majesty. He told us that he would give us a day's respite to rest after our journey. Our next interview was on the 28th. I handed to the King Her Majesty's letter; he received it very cordially, and pressed it to his forehead, and then handed it to me to read. The conference relative to the Treaty for the suppression of the foreign Slave Trade was postponed until His Majesty's first custom was over, which would last about six weeks; we then should have witnessed the most extensive and expensive part of his annual customs.

The presents from Her Majesty's Government were given over next day to the Mayogau, His Majesty's Prime Minister.

After which I was anxious to have a day appointed to confer on

this momentous question; after a great deal of procrastination the 4th of July was the day appointed. It commenced with heavy rain, and continued without intermission until 1 o'clock; when it partially cleared away; we then set off for the palace; we, of course, were courteously received by His Majesty.

After a few complimentary remarks from the King, relative to our not remaining to see the whole of the annual customs, and so forth, I told him that it would be 5 or 6 months ere the whole of his customs were finally finished; that would be too long to stop; he said yes, he did not wish it. His Majesty then desired us to proceed with our statement. We then laid before him the subsidy that Her Majesty's Government authorised us to offer to His Majesty the King of Dahomey, annually for 5 years, instead of 3, subject to ratification.

His Majesty made no reply, he was silent on the matter; he did not once refer to the amount, whether it was too small or otherwise, although with his own permission, it was read to him a second time.

He commenced to state in detail the friendship that had existed between His Majesty's grandfather and the King of England, and stated that the country of Dahomey had not changed, but remained the same to this day.

We endeavoured to expostulate and explain to His Majesty the advantages that he must ultimately reap from agriculture, growing of cotton, as well as cultivating the palm-oil tree.

In reply the King stated that they were a warlike people, the Dahomians, and of course unaccustomed to agricultural pursuits; that he would not be able to keep up his revenues, was he at once to stop the Slave Trade. Being desirous that it should be stopped in the minor ports prior to his entering into a treaty, requests that Her Majesty's Government will endeavour to blockade between Quittah and Lagos; and then he would endeavour to enter into an agreement for the suppression of the Slave Trade in His Majesty's own country. He asked if we had seen any farms between the swamp and Abomey? he could not disgrace himself and subject himself to be laughed at by sending the women from his palace-yard to plant and cultivate cotton.

He also stated that he had taken and destroyed all the countries that formerly cultivated cotton.

We endeavoured to impress on His Majesty that if he employed the prisoners that were captured, instead of selling them out of their country, he might grow as much cotton as he pleased, and furthermore, England would buy it all from him and his people; however, he did not appear desirous to listen to any further discussions on agriculture.

His Majesty then requested us to address a letter to Her Majesty the Queen of England, his friend, that she would allow Whydah to become a free port; stating that he had 5 agents, mentioning at the same time their names, viz., Isidore, Ignacio, and Antonio—3 sons of the late Da Souza—also Domingo Martins and Joaquim Antonio. His Majesty's simple request was to have papers and flags to allow them to pass without hindrance or molestation from Her Majesty's cruisers. Our reply was, that it was impossible; he appeared much perplexed, and harped upon the same theme for some time; at last His Majesty said, "Surely my friend, the Queen of England, will allow papers and colours for one vessel for myself to go free from the men-of-war." His pride must have fallen, when the great King of Dahomey condescended to ask for one vessel, on similar terms as the five. When he found it impossible to induce us to change our theme, and write thus to the Queen of England, he felt much chagrined, and his countenance changed, and became a shade lighter.

We then told him as he had declined the Queen of England's liberal offer, that there was only the last resource; to go on the old plan and take his chance; that it was not within range of possibility that any favours could be shown His Majesty's vessels beyond the minor ports.

I then found that our mission was drawing to a close, and being determined to draw his attention to Abbeokuta, I asked his permission to allow me to read the Earl of Chichester's letter from the Queen to Sagbua, chief of the above-mentioned town. Finding the Queen's expressions of kindness to the chief so strong, with thanks for his kindness and protection to the missionaries, &c., His Majesty appeared to be greatly excited and jealous, and said that he was going to war with that place; they were bad people; that the white men and ladies must be removed. I then told him that I was going to visit it as soon as the dry season set in, that would be about December; he then said, "you must take the Englishmen away from that place."

Mayogau, His Majesty's Prime Minister, made a very harsh remark, and said, "What right have the white men to go and teach those fellows book palaver?"

His Majesty then said, that when Freeman, from Cape Coast, visited Abomey, when he left he promised to send a white teacher, but he had not done so, neither had he heard any more on that matter.

He was then asked if a white missionary were sent to Abomey, would His Majesty afford him his protection and give him a grant of land to build a house; he replied in the affirmative, but he must reside at Whydah. It appears that he is averse to their residing at

Abomey; but I really believe he was prompted by his Minister in a whisper to make that reply, relative to the missionary residing at Whydah instead of Abomey.

I had another important request to lay before His Majesty with his permission, which was granted. I then stated that Mrs. McCarthy, wife of John McCarthy, liberated Africans from Sierra Leone, late Ahgway, and residents of Whydah, complained to me that her husband, John McCarthy, was confined as a prisoner in His Majesty's court-yard; that he had been seized between Attahpam and Popoe, on his return from the former to the latter. Not any person knew anything about the matter. I told the Cabooceer of Whydah that he must know her; but he denied it. The King ordered the Mayogau to inquire into the affair. After which the Queen's despatch was read, and he made his mark; we witnessed it. He had not any more to say: only that he would communicate with me at Fernando Po, either by letter or by a messenger, by any vessel that may be going that route from Whydah. It rained; we continued a short time, but no appearance of dry weather, we asked permission to depart. He said we must taste with him before we left; we went through the ceremony. He conducted us outside of the porch; shook hands. With his respects and best wishes for our safe arrivals at our different destinations, we left the palace of Abomey for our own domicile. It rained the remainder of the day.

Next morning it was fine and dry. The King sent our presents for the road, of cowries, cloth, rum, &c.; also a little girl each. After which we entered our house and held a short conference; present the Mayogau, Yahvogau, and Nawhey, relative to Mr. McCarthy; his wife was presented with her child. The Mayo said he would send her with a messenger to the home of the Cambaadee, and they should both return here during the day. They asked when we intended to leave; we told them on the morrow, if we received a decisive answer about the man McCarthy. They said that was small palaver, and would soon be settled. They took their leave.

Next morning early the same party came again. We had to sit and hear the salutes fired; 21 guns for the Queen, and 13 for each of us, which took full 2 hours. After which the McCarthy question was again mooted; we stating, that they did not make their appearance yesterday as they all, particularly the Mayogau, promised. The latter said that he sent her to the King yesterday, and that he sent her to the Cambaadee's, to see if her husband was there. I then told them "I know from good authority that she is also a prisoner, but not with her husband; it is a farce; you are making fools of us." Commander Forbes expressed himself very warmly, and told them that he was going to England, and would report to the Queen that 2 British subjects were detained as prisoners in

Abomey; at the same time he threw his memorandum-book on the table. They looked at him seriously, and said, "We hope you are not vexed; if so, we must tell our master the King." Rose and shook hands, and left us to take our breakfast before we started. A few packages being left detained us. Commander Forbes kindly offered to remain and start them off before him; and recommended me to leave for Cana. I left at 10 o'clock, and arrived at noon; half an hour afterwards Forbes joined. He remained to get a hammock and carriers for a sick man. I went on, and arrived at Toobodoo at 2-20 P.M. Commander Forbes did not arrive until 5 o'clock. During his detention, a messenger arrived in post haste, bringing with him McCarthy and his wife.

I presume they must have communicated the warm debate on the matter this morning; it shows a dread of the King's meeting the displeasure of Her Majesty's Government.

We started at 5 o'clock next morning; crossed the swamp, of which we had 13 hours before we arrived at our halting-place. Ultimately arrived at Whydah on the 9th; found Her Majesty's sloop *Bonetta*. *Gladiator* and *Jackall* arrived on the 11th. We succeeded in embarking through the surf on the 12th.

The King of Dahomey has been greatly exaggerated as to his wealth and power. I am perfectly satisfied that he is under the control and opinion of several of his principal officers; and it is too obvious that he has not the slightest desire to abandon the abominable traffic.

The only effectual means to bring him to a full sense of this error, if international law will admit of it, is to take his own advice, and blockade Whydah.

Lagos is another point. If the legitimate chief could be seen and communicated with, so as to make a Treaty with him for the suppression of the foreign Slave Trade, and place him at Lagos, his former seat of Government, it would release the people of Abbeokuta from the jeopardy that they are continually in, from the fear of the King of Dahomey.

Her Majesty's steamer *Gladiator* has captured 2 empty slavers. Her Majesty's steamer *Hecla*, 2 with slaves, lately from Lagos. I believe they have been trying it hard there latterly.

Her Majesty's brig *Wolverine* took a felucca 2 or 3 days ago.

I can only state that the King of Dahomey's power and wealth have been much exaggerated. As reported, he has 18,000 Amazons as a body guard; we have only seen and counted 3,000, and about the same number of men, at a grand review. He stated himself, the same day, that we did not see all his warriors; he had a great body guarding his frontiers. I estimate his army at 20,000 or 25,000.

His Majesty's account of his total expenditure of cowries for the

year is only 42,000; his first account 32,000; about two-thirds more than we could account for.

I was anxious to get a just estimate of the number of tuns of palm-oil shipped from Whydah, &c., but I could not get any but exaggerated accounts, so I have declined making any statement at present, until my next visit at the latter end of the year.

I transmit to your Lordship an original letter, dated the 4th instant, addressed by the King of Dahomey to Her Majesty.

Viscount Palmerston, G.C.B.

JOHN BEECROFT.

(Inclosure.)—*The King of Dahomey to Her Majesty Queen Victoria.*

Abomey, July 4, 1850.

From Gezo, King of Dahomey, to Her Majesty Queen Victoria,

BEING desirous that the Slave Trade should be stopped in the minor ports prior to my entering into a Treaty, I have to request that you will endeavour to blockade the slave ports between Quittah and Lagos, and then I can endeavour to enter into an agreement for the stoppage of the Slave Trade in my own country.

At present, my people are a warlike people, and unaccustomed to agricultural pursuits; I should not be enabled to keep up my revenue, were I at once to stop the Slave Trade.

I am always desirous of being at peace with Great Britain.

I am anxious that some person should be sent as Governor of the British fort at Whydah, and, having known him, should wish for Lieutenant Forbes, R.N.

I am, &c.

his
GEZO, *King of Dahomey.*
mark.

Witness to the royal mark.

JOHN BEECROFT, *H.M.'s Consul, Bights of Benin and Biafra.*

F. E. FORBES, *Lieutenant Commanding H.M.'s ship Bonetta.*

P.S.—Some years ago I entrusted 2 boys and a girl to the care of Mr. Freeman, I am anxious they should be returned.

I am anxious that missionaries should settle at Whydah.

No. 10.—Viscount Palmerston to Consul Beecroft.

(Extract.)

Foreign Office, October 11, 1850.

I HAVE received your despatch of the 22nd of July.

Her Majesty's Government much regret the failure of your endeavours to induce the King of Dahomey to enter into a Treaty for the suppression of the Slave Trade; which failure, however, appears to be by no means attributable to any want of diligence, or zeal, or effort, either on your part or on that of Lieutenant Forbes.

Her Majesty's Government are also much concerned at learning that the King of Dahomey has expressed an intention of going to war with the chiefs of Abbeokuta; and I have accordingly addressed

a letter to the King upon these matters, which I have to instruct you to cause to be transmitted to him at an early moment and by a safe conveyance.

I inclose for your information a copy of this letter.

J. Beecroft, Esq.

PALMERSTON.

(Inclosure.)—Viscount Palmerston to the King of Dahomey.

SIR,

Foreign Office, October 11, 1850.

I AM commanded by Her Majesty to acknowledge the receipt of the letter which you addressed to her on the 4th of July last; and I have, in the first place, to beg you to accept the best thanks of the British Government for the very kind and hospitable manner in which you received Mr. Beecroft and Commander Forbes, during their late visit to your Majesty's capital of Abomey; and I beg to assure you, Sir, that this friendly conduct on your part has still more increased the earnest desire of the British Government to cultivate the most intimate relations between the kingdoms of Great Britain and of Dahomey.

But as nothing more contributes to the maintenance of friendship than a frank explanation of mutual feelings and opinions, I deem it of importance to advert to the statement which you made to Mr. Beecroft that you intended to make war upon the chiefs of Abbeokuta, and I feel it right to inform you that the Queen of England takes a great interest in favour of that city and its people; and that if you value the friendship of England you will abstain from any attack upon and from any hostility against that town and people.

The British Government would be very sorry that you should make such an attack, 1st, because Her Majesty's Government would deeply regret that any evil should happen to the people of Abbeokuta; and, 2ndly, because Her Majesty's Government would feel much concern if anything should be done by your Majesty which would lead to an interruption of the friendly relations between yourself and the Government of England.

With respect to what you have written about the Slave Trade, the British Government is much disappointed at your answer, for they had hoped and expected that you would have complied with their very reasonable request, accompanied as it was by a handsome offer of full compensation for any temporary loss which you might sustain by putting an end to the Slave Trade. But as you have declined to consent to what the British Government has asked you to do, the British Government will be obliged to employ its own means to accomplish its purpose, and as England is sure to succeed in any object which it is determined to attain, the result will be, that the Slave Trade from Dahomey will be put an end to by the

British cruizers, and thus you will sustain the temporary loss of revenue, without receiving the offered compensation.

But it is at least a satisfaction to Her Majesty's Government to think that your loss of revenue will only be felt by you for a short time, and that the profits which will arise to you from legal commerce will soon very amply repay you for any deficiency of revenue created by the cessation of the Slave Trade.

I have, &c.

The King of Dahomey.

PALMERSTON.

No. 14.—Viscount Palmerston to Consul Beecroft.

SIR,

Foreign Office, October 23, 1850.

I HAVE received your despatch of the 13th of August last, reporting that you had had a conference with Commodore Fanshawe, on the subject of the declared intention of the King of Dahomey to make war upon Abbeokuta, and stating that the Commodore had, with your concurrence, addressed a strong remonstrance to the King upon the subject; and I have the satisfaction to inform you that I entirely approve of your conduct on this occasion.

I am, &c.

J. Beecroft, Esq.

PALMERSTON.

No. 16.—Viscount Palmerston to Consul Beecroft.

SIR,

Foreign Office, December 11, 1850.

I HAVE to state to you that Her Majesty's Government have appointed Mr. Louis Fraser to be British Vice-Consul at Wydah, within the territories of the King of Dahomey, on the western coast of Africa.

I transmit to you a copy of the instructions which I have given to Vice-Consul Fraser; and I have to direct you to keep up an unreserved communication with him, and to give him such advice and instructions for his guidance as may appear to you to be right and proper for the good of Her Majesty's service.

I have sent a copy of this letter to Vice-Consul Fraser.

I am, &c.

J. Beecroft, Esq.

PALMERSTON.

(Inclosure.)—Viscount Palmerston to the King of Dahomey.

Foreign Office, December 11, 1850.

THE Queen of the United Kingdom of Great Britain and Ireland, my Sovereign, has commanded me to acquaint you that Her Majesty has been graciously pleased to direct Mr. Louis Fraser, the bearer of this letter, to be the successor to the late Mr. John Duncan as British Vice-Consul in the territories governed by your Majesty.

The reasons which have induced the Queen to station a British Vice-Consul within your territories were explained to your Majesty

by the letter which I sent to you by the late Vice-Consul Duncan, and I beg again to tender to your Majesty the thanks of Her Majesty's Government for the kind and hospitable reception which you gave to Mr. Duncan.

Consul Fraser is instructed to explain to your Majesty that it is the fixed determination of the British Government that the African Slave Trade shall cease; that it is useless for any African Sovereign or chief to suppose that he can be able to carry on that Slave Trade in defiance of the determination of Great Britain to put an end to it; and the best way of securing the good-will and friendship of England is promptly and completely to put the Slave Trade down.

Mr. Fraser is also instructed to explain to your Majesty on all suitable occasions the great advantages which you will derive from the increase of legitimate commerce; and he is also to assure you of the earnest desire of the Queen's Government to contribute in every way to your welfare and prosperity.

Her Majesty's Government trust that you will receive the British Vice-Consul with the respect due to his character and rank, and that you will put entire faith in what he shall state to you in the name of Her Majesty's Government.

I am, &c.

The King of Dahomey.

PALMERSTON.

No. 18.—Consul Beecroft to Viscount Palmerston.—(Rec. Jan. 6, 1851.)

MY LORD,

Clarence, Fernando Po, October 15, 1850.

I BEG leave to communicate, for your Lordship's information, that on the arrival of Her Majesty's steamer, *Jackal* here, I make a requisition to Lieutenant Bedingfeld, in command, for the use of the said steamer to take me to the Rivers Bonny and New Calabar, to inquire into, and adjust and revise commercial Treaties, in accordance with the requisition of the supercargoes, masters, and traders to me, Her Britannic Majesty's Consul, dated the 27th June.

Lieutenant Bedingfeld promptly complied with my request, and as soon as she was ready for sea proceeded, on the 25th ultimo, and anchored off the Bonny Bar at sunset next day; weighed at 5 o'clock next morning, and came-to at 8 o'clock abreast of the town.

I immediately communicated with King Peppel, inviting him and his chiefs to come on board Her Britannic Majesty's steamer *Jackal*, and hold a conference relative to the complaints made to me by the supercargoes and traders of the different vessels in the river.

I received his reply, begging to decline my kind offer, it not having been customary for him to go on board of vessels to settle palavers, but should be most happy to see me and Lieutenant Bedingfeld at his house at 3 o'clock.

After due consideration, it was arranged to go on shore at the hour above mentioned. Accordingly, we left the steamer, accompanied by the supercargoes, masters, and traders of the different vessels, and were kindly received at the King's house. With his permission, &c., I read aloud my commission, to acquaint him by whose authority I came there to investigate and endeavour to correct abuses that were of long standing between him and his chiefs and the supercargoes and traders there, they being the representatives of a great number of the most wealthy merchants in Liverpool.

I then read him the letter to me requesting my interference; after which I told him that it was not my intention to enter into the conference to-day; that Lieutenant Bedingfield and myself had waited on him to pay our respects, and should certainly expect him to return the visit at 9 o'clock the following day. He declined. I then told him he could be accommodated by the steamer entering the creek and coming to his back-door, and walk on board by a gangway plank. I then wished him good evening, it being half-past 5 o'clock. We took a short walk round the town. On our return to the boats he sent me a letter, wherein it is arranged for him to come on board Her Majesty's steamer *Jackal*, in compliance with my desire, next morning at 9 o'clock. In the meantime, 3 of the supercargoes, viz., Gwatkin, E. Wylie, and Curran, were to go on shore in the morning, and remain at the King's house as hostages until his return from the steamer.

At 9:30 he made his appearance in a ship's boat, accompanied by R. Wylie, senior. He partook of breakfast; after which he expressed a desire to look round the vessel; Lieutenant Bedingfield kindly escorted him to the engine-room, &c. Previous to his taking his leave, it was arranged that the grand conference should be held that day at 3 o'clock at the King's house. According to the time appointed we left the steamer, accompanied by a procession of 17 boats. After our arrival, we had to wait half an hour for the appearance of 2 or 3 of his Chiefs or principal traders.

He wished the conference to be opened by my commission, and the letter being read for the third time, which was complied with.

After which we entered fully into the matter of reform relative to the numerous abuses that had been enforced on the supercargoes and traders by the said King Poppel, from time to time.

The revised Commercial Treaty, with amendments of 12 Articles, was read, and afterwards discussed until nearly 6 o'clock, when the conference broke up.

I then made him acquainted that the steamer left at 9 o'clock next day for New Calabar, so that he would have 2 days at least to consult with his Chiefs and people, trusting there would be no delay

on his part in amicably adjusting all matters that we have been discussing.

And in the meantime I could assure him that not any concessions on my part would be admitted, for I considered all the Articles of the Treaty were for the mutual good and benefit of all parties concerned; so we took our leave, and returned to our respective vessels.

October 1st.—Started at 9 o'clock for New Calabar, accompanied by the supercargoes and traders of the vessels in the Bonny, several having a tender there.

We passed through the inner channel along Breaker Island, round the north end, and near the western breakers, steered for Fouchée, then up the river for New Calabar Town, which is about 12 miles, and anchored at 1 o'clock. Communicated immediately with King Ammacree, and announced to him my intention to wait on him at 3 o'clock precisely, for him to have all his headmen at his elbow. We started in procession, and arrived at the King's house at the time appointed, and were kindly received by him and his people about him. Nevertheless, some of them appeared alarmed, the *Jackal* being the first of Her Majesty's vessels that visited this place.

After reading my commission, and the letter calling aloud for my interference in the too many abuses that were enforced by the King and Chiefs in the river, which called loudly for redress, such as seizing British subjects on shore, chaining and maltreating them. In the first instance I ordered the vessels to be unmoored immediately, and dropped down the river to Fouchée, it being a due case of humanity to prevent the mortality that has occurred every year. All the other complaints in the letter addressed to me, after 3 hours conference, were deferred for the morrow. At the same time I told the King Ammacree that I should expect him to breakfast in the morning at 9 o'clock to return my visit, which he readily agreed to, and faithfully promised to do. We then took our leave.

Next morning at 8 o'clock the gig of the *Jackal* was sent, with Captain Witt, of the *Huskisson*, to bring the Chief. After waiting a full half-hour, he declined his visit.

After due time a second messenger was sent to inform him that he had insulted the British flag, also the Queen of England's Representative, and if he did not deem it fit to fulfil his duty, he should be corrected for not returning the visit. He was at last desirous, but his people interfered, and would not allow him to reply to the second message.

I requested Lieutenant Bedingfeld to fire a shot over the town, which was done. Half an hour elapsed, no appearance; a second was fired; half an hour again had elapsed, I then requested a shot

to be fired at the roof of one of his principal houses in sight. The King's mansion was not visible from the anchorage.

The instant the gun was depressed, and pointed at the said house and flag-staff, up went the flag of truce. They had been watching all our movements with spy-glasses. A boat was sent on shore, and shortly after the King and his second in command made their appearance.

I received them very coolly, and rebuked them severely, after which they were allowed to go to the cabin and take a glass of spirits. I then told them the palaver was done; that they were at liberty to return to their houses, and that we would join them in half an hour, to have the Treaty signed. We arrived at the King's mansion at 3.30; all the masters, supercargoes, and traders, amounting to 30, were present. After a lengthened discussion, the Commercial Treaty was signed. We took our leave at sunset.

At 7 o'clock, *Jackal* weighed and proceeded down the river, and anchored at 8 o'clock abreast of the 7 sail of vessels that had dropped down the night before and that morning to Fouchée.

Next morning, at daylight, weighed and proceeded to Bonny, and anchored off the Creek at 8 o'clock, and went on shore to the King's house at 11 o'clock; completed the Treaty by 4. Still a chief or two were absent, who could not be got until next morning, so we took our leave and returned on board.

Next morning it rained in torrents until noon, when it partially cleared away. At 2 o'clock, Commander Bedingfield accompanied me to the King's house, and got the rest of the signatures; took our leave and returned on board, and weighed at 4 o'clock, got clear of the bar at 7, and anchored in Clarence Cove, Fernando Po, at 1 P.M. on Saturday, the 5th of October, having been absent 10 days.

I have, &c.

Viscount Palmerston, G.C.B.

JOHN BEECROFT.

(Inclosure.)—*The Traders in Bonny to Consul Beecroft.*

Bonny, October 1, 1850.

WE, the undersigned shipmasters and supercargoes, beg respectfully to request your interference in the many disputes now existing between the King and Chiefs of New Calabar.

1stly, we complain that several British subjects have been detained on shore and maltreated.

2ndly, we complain that there is yearly a certain extra charge to pay, and that the Calabar men force the men to pay a punchcon for every 20 they sell. Should the ship not comply, they immediately put a mark on the same, and stop their trade. On a late occasion 2 ships, the *Cora* and *Lord Elgin*, who had refused to pay the exorbitant price the Calabar men demanded for their oil, were not

allowed to commence trade until they had paid a second *Comey*, which they were actually forced to do to the extent of 1 puncheon of oil for each ship.

3rdly. And we also complain that the King and Chiefs of Calabar arbitrarily fix what articles are to be paid for oil, without reference to whether the said ships may have such articles on board or not, and, if they do not comply, stop their trade, or make them room such articles as they name at a great loss. And we humbly recommend that a Treaty similar to that submitted to the King and Chiefs of the Bonny be made with them, including a *Comey* the same, and that you will order the ships to be removed from the present anchorage opposite to a beach near Fouchée, to avoid the great mortality which takes place yearly in consequence of laying so far up the river, and being almost excluded from the sea-breeze.

We have, &c. ROBERT WYLIE, *Orezaba*.

CHARLES CAINE, *Thomas Stowe*.

FREDERICK GRANT, *Hero*.

EDWARD WYLIE, *Garrow*.

C. H. WITT, *Huskisson*.

THOMAS FORSHAW, *Lady Flora Hastings*.

JOHN P. MITCHELL, *Rothsay*.

GEORGE E. FELLOWES, *Bell*.

E. GOLDSTONE, *Cora*.

JOHN HOLMES, *Wm. Pitt*.

No. 19.—Consul Beecroft to Viscount Palmerston.—(Rec. Jan. 6, 1851.)
(Extract.) *Clarence, Fernando Po, October 14, 1850.*

I BEG leave to communicate, for the information of your Lordship, that previous to my taking leave of King Peppel, he sent and desired to speak to me in private. I went. He said, "that 2 years had nearly elapsed and I have not received the annual present, according to the Treaty made in presence of Captain Eden, Tudor, and yourself, in November, 1848." I told him not to alarm himself, for I expected them by the next monthly vessel that would leave England for the west coast of Africa. He then quietly expressed a desire to cancel the Treaty. I showed my displeasure at such a proposal, and replied, "No, Peppel; you are desirous of resuming again the abominable traffic of selling your fellow-men," which of course he strongly denied, but his motive was too obvious.

I beg leave to state the number of vessels in Bonny, at the time we left in the *Jackal*, as under, viz.:

				£
18 vessels, 9,400 tons, value	..	..		94,000
Cargo for trade	..	..	..	141,000
				<hr/> 235,000

Viscount Palmerston, G.C.B.

JOHN BEECROFT.

No. 20.—Consul Beecroft to Viscount Palmerston.—(Rec. Jan. 6, 1851.)

MY LORD, *Clarence, Fernando Po, October 16, 1850.*

I HAVE the honour to state, that after my conference with King Ammacree and his Chiefs, relative to the Commercial Treaty, I inquired of him if he was desirous to sign a Treaty for the suppression of the foreign Slave Trade in his dominions. He very candidly stated that he would like it better to allow the slaver to enter, and for him to arrange with the man-of-war to take her on leaving, and to pay him a commission. When he found I was displeased at his remark, he said it was all play.

I then attacked him about the slaver he had allowed to resume the awful traffic in his river, which was captured by Her Majesty's brig *Contest*.

I rebuked him severely, and told him, "Years ago when I have spoken to you on that matter, you have protested against it; but at the same time stated that you did not get any presents same as several of the other Kings in the different rivers; that you had a great desire to sign book for that palaver." He said that it was true. I then told him that I must communicate with the Government in England on that matter, if he was desirous to enter into a Treaty with Her Majesty the Queen of England, to do away with foreign traffic in slaves.

Your Lordship will be pleased to advise me in this matter as early as convenient. Also as to the Chiefs of the Benin and Rio Bento.

I have, &c.

Viscount Palmerston, G.C.B.

JOHN BEECROFT.

No. 22.—Viscount Palmerston to Consul Beecroft.

SIR, *Foreign Office, February 18, 1851.*

I HAVE received your despatch of the 15th October last, reporting your proceedings on a visit which you made to the Chiefs of the Bonny and Old Calabar Rivers, in compliance with a requisition made to you by the masters and supercargoes of several British vessels trading to those rivers, and inclosing copies of the treaties which you concluded with those Chiefs for the better protection of British trade and subjects within their territories.

I have the satisfaction of informing you in reply, that I entirely approve of those Treaties and of your proceedings, as reported in your despatch above mentioned.

I am, &c.

J. Beecroft, Esq.

PALMERSTON.

No. 24.—Viscount Palmerston to Consul Beecroft.

SIR, *Foreign Office, February 20, 1851.*

ON the 22nd of April last, I suggested to the Lords Commissioners of the Admiralty that the next step which it seemed desirable to

take, with a view to clear the African coast north of the Equator from Slave Trade, would be to induce the Chief of Lagos to conclude a Treaty for the abolition of that traffic.

I have not yet heard whether any communication has been made to the Chief of Lagos, in pursuance of my recommendation above alluded to. But if, when this despatch reaches you, the Chief of Lagos should not have bound himself by Treaty to abolish Slave Trade, you will put yourself in communication with that Chief, with a view to induce him to conclude a Treaty in the form which I herewith transmit to you, and you will concert with Commodore Fanshawe the best arrangements for the execution of this service.

The Commodore will be instructed to furnish you with the means of carrying on this negotiation without placing yourself hazardously in the power of that Chief. I have also to authorize and instruct you to conclude Treaties, according to the inclosed form; with any native Chiefs within the limits of your Consular district, whose co-operation for the suppression of Slave Trade you may consider it desirable to obtain.

I am, &c.

J. Beecroft, Esq.

PALMERSTON.

(Inclosure.)—Engagement to be proposed to the Chief of Lagos.

JOHN BEECROFT, Esq., Her Britannic Majesty's Consul for the Bights of Benin and Biafra, on the part of Her Majesty the Queen of England, and the Chiefs of Lagos and of the neighbourhood, on the part of themselves and of their country, have agreed upon the following Articles and Conditions:

ART. I. The export of slaves to foreign countries is for ever abolished in the territories of the Chiefs of Lagos; and the Chiefs of Lagos engage to make and to proclaim a law prohibiting any of their subjects or any person within their jurisdiction, from selling or assisting in the sale of any slave for transportation to a foreign country; and the Chiefs of Lagos promise to inflict a severe punishment on any person who shall break the law.

II. No European or other person whatever shall be permitted to reside within the territory of the Chiefs of Lagos for the purpose of carrying on in any way the traffic in slaves; and no houses, or stores, or buildings of any kind whatever, shall be erected for the purpose of Slave Trade within the territory of the Chiefs of Lagos; and if any such houses, stores, or buildings shall at any future time be erected, and the Chiefs of Lagos shall fail to destroy them, they may be destroyed by any British officers employed for the suppression of Slave Trade.

III. If at any time it shall appear that Slave Trade has been carried on through or from the territory of the Chiefs of Lagos, the Slave Trade may be put down by Great Britain by force upon that

territory, and British officers may seize the boats of Lagos, found anywhere carrying on the Slave Trade, and the Chiefs of Lagos will be subject to a severe act of displeasure on the part of the Queen of England.

IV. The slaves now held for exportation shall be delivered up to Her Britannic Majesty's Consul for the purpose of being carried to a British colony and there liberated; and all the implements of Slave Trade, and the barracoons or buildings exclusively used in the Slave Trade shall be forthwith destroyed.

V. Europeans or other persons now engaged in the Slave Trade are to be expelled the country; the houses, stores, or buildings hitherto employed as slave factories, if not converted to lawful purposes within 3 months of the conclusion of this engagement are to be destroyed.

VI. The subjects of the Queen of England may always trade freely with the people of Lagos in every article they may wish to buy and sell in all the places and ports and rivers within the territories of the Chiefs of Lagos, and throughout the whole of their dominions; and the Chiefs of Lagos pledge themselves to show no favour and to give no privilege to the ships and traders of other countries which they do not or will not show to those of England.

VII. Power is hereby expressly reserved to the President of the French Republic to become a party to this Treaty if he should think fit, agreeably to the provisions of Article V of the Convention between Her Majesty and the late King of the French, signed at London on the 29th of May, 1845.

No. 25.—Viscount Palmerston to Consul Beecroft.

SIR,

Foreign Office, February 21, 1851.

WITH reference to my despatch of the 20th instant, in which I authorised you to conclude a Treaty for the abolition of the Slave Trade with the Chief of Lagos, I have now further to instruct you to represent to that Chief that the British Government is resolved to put an end to the African Slave Trade, and has the means and power to do so. That it is employing those means with increasing success on both sides of the Atlantic. That the British Government has been successfully urging the Governments of Spain and of the Brazils to prevent the importation of slaves into Cuba and into Brazil, and that thus the demand for slaves will be greatly diminished, if not entirely put an end to; while, on the other hand, the British Government has made Treaties with the greater part of the native Chiefs on the west coast of Africa, by which those Chiefs have engaged to put an end to the exportation of slaves from within the limits of their territorial authority, and to encourage lawful commerce instead of Slave Trade.

You will represent that lawful commerce is more advantageous to the nations of Africa than Slave Trade, and that, therefore, the British Government, in putting down Slave Trade and in encouraging lawful commerce, is conferring a benefit upon the people and Chiefs of Africa. That Great Britain is a strong Power both by sea and by land, that her friendship is worth having, and that her displeasure it is well to avoid. That the friendship of Great Britain is to be obtained by the Chiefs of Africa only on the condition that they abandon Slave Trade and expel the slave-traders, and that those Chiefs who may refuse to do these things will surely incur the displeasure of the British Government.

If the Chief should show a disposition to refuse compliance, you should beg him to remember that Lagos is near to the sea, and that on the sea are the ships and the cannon of England; and also to bear in mind that he does not hold his authority without a competitor, and that the Chiefs of the African tribes do not always retain their authority to the end of their lives.

I am, &c.

J. Beecroft, Esq.

PALMERSTON.

No. 33.—Consul Beecroft to Viscount Palmerston.—(Rec. March 27.)
(Extract) *Church Mission House, Badagry, January 4, 1851.*

I HAVE the honour to inclose the Treaties made with the Chiefs and rulers of Bimbia and Camaroons, for the better order of peace and commerce.

Viscount Palmerston, G.C.B.

JOHN BEECROFT.

AUSTRIA.

No. 35.—Viscount Palmerston to Mr. Magenis.

SIR,

Foreign Office, September 18, 1850.

I HAVE to inform you, that Her Majesty's Ambassador at Constantinople having received information that upwards of 400 slaves had been brought from Bengazi to Constantinople on board a Turkish steam-ship of war, has succeeded in obtaining from the Turkish Government a distinct assurance that orders would be issued to prevent any further embarkation of negro slaves on board of such vessels.

Her Majesty's Government have further learnt with much surprise and regret, that the Turkish flag is not the only one which is employed to cover such criminal transactions, and that it is notorious that slaves are frequently conveyed in steamers belonging to the Austrian Company of Lloyd's.

I have to instruct you to make known these facts to the Austrian Government, and to request them to take suitable measures for preventing the Austrian flag and the Emperor's subjects from taking any part in a trade which was stigmatized by Austria, in conjunction with the leading Powers of Europe, at the Congress of Vienna, as "a scourge which desolates Africa, degrades Europe, and afflicts humanity;" a trade of which Austria repeated her reprobation at the Congress of Verona; and of which the Court of Vienna again recorded its continued abhorrence, by becoming a party to the Treaty of the 20th of December, 1841.

I am, &c.

A. C. Magenis, Esq.

PALMERSTON.

No. 37.—*Mr. Magenis to Viscount Palmerston.*—(Rec. December 2.)

MY LORD,

Vienna, November 25, 1850.

WITH reference to the representations which in conformity with the instructions contained in your Lordship's despatch of the 18th of September last, I made to Prince Schwarzenberg, relative to the frequent transport of slaves in steamers belonging to the Austrian Lloyd's Company, and his Highness' declaration of his ignorance and doubts of that statement, as reported in my Slave Trade despatch of the 2nd ultimo; I have now the honour to inclose copy of a note from Prince Schwarzenberg, of the 20th instant, containing a report from the Directing Committee of the Company of Lloyd's, which "repels with energy, the imputation in question;" and adds, that up to the present moment it had never received the slightest indication of such an abuse.

Your Lordship will perceive that the Committee in question protests against any imputation of connivance in the case of slaves who follow voluntarily their masters as servants, and who may be transported with those masters by their steamers from one port of the Levant to another.

I have, &c.

Viscount Palmerston, G.C.B.

ARTHUR C. MAGENIS.

(Inclosure 1.)—*Prince Schwarzenberg to Mr. Magenis.*

Vienne, ce 20 Novembre, 1850.

MR. MAGENIS, &c., a bien voulu communiquer au Ministère Impérial des Affaires Etrangères la copie d'une dépêche que lui a adressé Lord Palmerston, et dans laquelle sa Seigneurie relève une prétendue connivance dont se serait rendue coupable en faveur de la Traite des Nègres, la Société des pyroscaphes du Lloyd Autrichien, en enjoignant à M. le Ministre Plénipotentiaire de porter ce fait à la connaissance du Gouvernement Impérial, et de réclamer de sa part les mesures propres à prévenir dorénavant toute infraction pareille au Traité du 20 Décembre, 1841, dont l'Autriche est une des parties cosignataires.

A la suite de cette communication, le Ministère des Affaires Etrangères a cru de son devoir de provoquer sans perte de temps de la part de l'autorité compétente, une enquête sévère, à l'effet de vérifier les faits dont il a été question.

Du rapport ci-joint en copie, adressé par le Conseil Administratif du Lloyd Autrichien à M. le Ministre du Commerce, Mr. Magenis voudra cependant relever que ce Conseil, ainsi qu'on pouvait s'y attendre, repousse avec énergie l'imputation dont il s'agit, et que, fort de sa conscience d'avoir toujours scrupuleusement veillé à conserver intact l'honneur du pavillon Impérial, il croit pouvoir mettre d'autant plus en doute le fait susmentionné, que jusqu'ici il ne lui est jamais parvenu le moindre indice d'un abus pareil, auquel d'ailleurs, certes, les autorités Consulaires Autrichiennes se seraient vivement opposées.

Le Conseil Administratif du Lloyd a enfin déclaré, que pour le prémunir à l'avenir contre des soupçons de ce genre, il fera parvenir, tant à ses agens qu'à ses capitaines de navire, les instructions les plus précises, pour fixer toute leur attention sur ce point; mais en même temps il croit devoir protester d'avance contre toute imputation de connivence de sa part dans les cas qui sont toujours possibles qu'à la faveur de l'autorisation légale pour leur embarquement, dont se munissent les passagers du Levant, il s'introduise quelquefois des esclaves qui suivraient volontairement en qualité de domestiques leurs maîtres, attendu que la Société du Lloyd n'aurait guère les moyens de l'empêcher.

Le Soussigné, &c., en se flattant que l'exposition ci-dessus suffira pour tranquilliser la sollicitude du Ministère Britannique, saisit, &c.
A. C. Magenis, Esq. F. SCHWARZENBERG.

(Inclosure 2.)—*The Directing Committee of the Austrian Lloyd's Company to the Austrian Minister of Commerce.*

(Translation.)

THE Undersigned, Directing Committee of the Austrian Lloyd Company, perceive to their great surprise, in your Excellency's communication of the 12th of October, that a suspicion has been cast upon the Company of indirectly promoting the Slave Trade by means of their steamers, because up to the present time the Directing Committee have never received any intimation that the most distant suspicion was ever entertained of such a misuse of their steamers having been made. As it has always been the chief care of the Directing Committee to maintain inviolate the Austrian flag as well as that of the Company, such an imputation cannot be otherwise than most painful to them, and the probability of the fact is the more doubtful, as the Imperial Consular authorities would certainly meet such an abuse by a refusal to draw up the ship's papers.

If, however, it should happen that from time to time slaves are found among the servants of the passengers from the Levant, which have been brought on board with the regular permission to embark this cannot possibly be laid to the charge of the Company's steamers, and would be, in fact, very difficult to prevent. In consequence, however, of this most unexpected accusation, the Directing Committee will issue the strictest injunction to their captains and agents to devote their most earnest attention to the case in question.

BELGIUM.

No. 38.—*Visc'. Palmerston to Lord Howard de Walden and Seaford.*
MY LORD, (Circular.) *Foreign Office, March 10, 1851.*

I HEREWITH transmit to your Lordship 4 printed copies of a law passed by the Legislature of Brazil on the 4th of September, 1850, for "establishing (fresh) measures for the suppression of the traffic of Africans in the Empire of Brazil," annexed to which are printed copies of an Imperial Decree, issued on the 14th of October, 1850, for regulating the execution of the said law.

I have to instruct you to communicate a copy of these important documents to the Belgian Government, to point out to them that the crime of slave-trading is by that law declared to be piracy, and earnestly to urge them to take the necessary steps for enacting a law declaring that such of their subjects as shall be concerned in that traffic shall be deemed and dealt with as pirates, and shall on conviction be liable to suffer a severe secondary punishment.

You will also recommend to the attention of the Belgian Government the regulations which have been promulgated by the Brazilian Government to render more easy and certain the application of the Brazilian laws against Slave Trade, and you will request the Belgian Government to consider whether any part of those regulations could be adopted with advantage in Belgium.

You will further say, with reference to the recommendation that Slave Trade should be stigmatized as piracy, and that it should be punished as such, that such has long been the state of the law in Great Britain and in The United States, and that this law has worked very effectually, not merely through the fear inspired of the punishment which it awards, but by the moral effect produced on the minds of men by the fact that the law stigmatizes by its true and proper character, the disgraceful and infamous crime of stealing and

selling and buying men, women, and children, for the purpose of consigning them to the miseries of slavery.

The Brazilian Government has now followed in this respect the example of Great Britain and of The United States, and Her Majesty's Government cannot allow themselves to believe that the Government of Belgium can feel less detestation than the above-mentioned Governments do of the atrocious crime in question, or that they can hesitate in giving to the world the same public manifestations of their sentiments on this matter, by promulgating a law similar to those which have been enacted in this respect in Great Britain, in The United States, and in Brazil.

This earnest request of Her Majesty's Government is not dictated by any belief that the subjects of Belgium disgrace themselves by taking part in these abominable practices, but Her Majesty's Government are desirous of having the weight of the moral sanction of the Government of Belgium added to that force of public opinion in the civilized world which has been brought to bear upon the perpetrators of one of the greatest iniquities which have ever been committed by the human race.

I am, &c.

Lord Howard de Walden and Seaford.

PALMERSTON.

No. 39.—Visc^t. Palmerston to Lord Howard de Walden and Seaford.

MY LORD, (Circular.) *Foreign Office, March 27, 1851.*

WITH reference to my despatch dated the 10th instant, I have to instruct you to inform the Belgian Government that a representation, similar to that which I have therein directed you to make to them, has been made to each and all of the maritime States of Christendom which have not yet made Slave Trade piracy.

I am, &c.

Lord Howard de Walden and Seaford.

PALMERSTON.

[This and the preceding Circular were likewise sent to Her Majesty's Representatives in Denmark, France, Greece, the Hanse Towns, the Netherlands, Sardinia, 2 Sicilies, Spain, Sweden, Tuscany, Bolivia, Chili, Mexico, Peru, the Republic of the Uruguay, and Venezuela.]

BRAZIL.

No. 40.—Viscount Palmerston to Mr. Hudson.

SIR,

Foreign Office, April 3, 1850.

I HAVE received your despatch of the 17th of January last, in which you inform me that a report had reached you from various

quarters, that it was the intention of some of the members of the Brazilian Legislature to present a Bill to the Chambers, during their present session, for the repeal of the Brazilian Law against Slave Trade of the 7th of November, 1831.

In the event of this report proving true, I have to instruct you to renew formally the protest which was made by Her Majesty's Government in 1837, against a similar project for altering the Law of 1831, and to state to the Brazilian Government, that such a proceeding would be considered by Her Majesty's Government as a violation of the Treaty of 1826; and that Her Majesty's Government would deem themselves authorised thereby to take such steps as in such case to them might seem meet.

I am, &c.

J. Hudson, Esq.

PALMERSTON.

No. 42.—Mr. Hudson to Viscount Palmerston.—(Received April 5)
 MY LORD, *Rio de Janeiro, February 20, 1850.*

I HAVE the honour to transmit herewith to your Lordship a printed copy of the Report which the Brazilian Minister for Foreign Affairs presented to the Brazilian Legislative Assembly upon the opening of their present session on the 1st ultimo.

I have also the honour to inclose a translation of that part of this report which relates to the Brazilian Slave Trade.

The Brazilian Minister for Foreign Affairs explains, in some measure, a paragraph which occurs in the speech from the Throne, of the Emperor of Brazil, on opening the present session of the Brazilian Legislature on the 1st ultimo, respecting the supply of labour for Brazilian agriculture.

His Excellency says, that measures ought to have been taken in the year 1826, to supply the place of that labour of which Brazil was deprived by the Convention concluded against Slave Trade, between Great Britain and Brazil, on the 23rd of November of that year.

His Excellency admits that no such steps were taken; and he follows up this admission by recommending that colonization on a large scale be now adopted by Brazil; and he gives it as his opinion that, until this is done, Brazil will in vain contend with the traffic in slaves.

I regret the expression of this opinion, because it implies that the planting of colonies of Europeans in Brazil is to precede the suppression of the Slave Trade; whereas, by referring to the actual condition of those colonies of Europeans which already exist in Brazil, it will be found that the first object of the settlers is the purchase of slaves; consequently, Brazilian colonization, as understood by the Brazilian Government, will but increase the demand for slaves. The settlement, therefore, of colonies of Europeans

should follow, and not precede, the suppression of the Brazilian Slave Trade.

A few simple measures of police on the part of the Brazilian Government, would most effectually check and stop the Brazilian Slave Trade.

It is absurd to say that the Brazilian Government cannot suppress Slave Trade when we see them suppress a rebellion which had great ramifications and great popular support in one of the wealthiest and strongest provinces of this empire.

It is ridiculous to maintain that the Brazilian Slave Trade, which is confined almost exclusively to 300 miles of the Brazilian coast, north and south of the Brazilian capital, and the extreme limits of which do not exceed 1 day's sail from Rio de Janeiro, cannot be greatly checked, if not entirely suppressed, by a proper exercise of the imperial authority, and by due vigilance on the part of the imperial magistracy and police.

But no Brazilian Administration has hitherto adopted any efficient measure whatever for the suppression of the Brazilian Slave Trade.

It is true, that no Brazilian Government can check Slave Trade so long as they permit their minor authorities to receive with impunity a bounty upon every slave imported; it is equally true that no Brazilian Government can suppress Slave Trade so long as slave-ships are permitted to be armed, manned, fitted, and dispatched to the coast of Africa for slaves, in broad day, and with the cognizance and permission of the Brazilian authorities, not only in the out-ports, but under the eye of the Imperial Government, in the harbour of the capital of the empire.

As long, therefore, as this notorious and public assistance and connivance of the Brazilian authorities is tolerated by the Brazilian Government, it is absurd to suppose that the planting of colonies of Europeans in Brazil can have any other effect than to foster and encourage Slave Trade.

The excuse of the Brazilian Government for this open violation of the law of Brazil, and of the Convention which subsists between Great Britain and Brazil for the suppression of the Slave Trade, is, that the existing Brazilian laws for the trial of the offence of slave-trading are insufficient; and his Excellency recommends the adoption of such legislative measures as will overcome existing difficulties, and enable the Brazilian Government to fulfil the obligations which Brazil contracted with Great Britain in the Convention of November, 23, 1826.

His Excellency then proceeds in his report to state what are the measures to this effect which it is the intention of the present Brazilian Administration to adopt; and from his Excellency's state-

ment it appears, that the principal measure is again to bring forward, with certain amendments, a Project of Law now said by his Excellency to be pending in the Brazilian Chamber of Deputies.

This Project of Law is no other than the Bill of the Marquis of Barbacena, against which your Lordship instructed Her Majesty's Minister at this Court (Mr. Hamilton) to protest on the 4th of December, 1837.

It is the same project of law which was brought forward by the Government of Senhor Bernardo de Souza Franco, on the 1st of September, 1848, and against the principle of which I protested on the 11th of September, 1848, and the 13th section of which repeals the Brazilian law against Slave Trade of 7th November, 1831, a law which is part and parcel of the Convention between Great Britain and Brazil of 23rd November, 1826.

It is the same project of law which Viscount Olinda, President of the Council of State of Brazil and Secretary of State for Foreign Affairs, informed me on the 26th of October, 1848, that the Imperial Government abandoned, with the intention of substituting another project of law for it, as I had the honour to report to your Lordship in a despatch of the 16th November, 1848.

Your Lordship will therefore perceive, that the main question of the suppression of the Brazilian Slave Trade by the Brazilian Government, not only has made no progress, as Viscount Olinda and his predecessors in office promised, but that it actually has receded to the point at which it was left by the Government of Senhor Bernardo de Souza Franco, upon his retiring from office on the 29th September, 1848.

It is not so much new laws for the suppression of Slave Trade which Brazil requires, as the due execution of those which exist, I have the honour in a further despatch of this series, to report to your Lordship the explanation which Senhor Paulino has given me the intentions of the Brazilian Cabinet with regard to the further measures which they intend to adopt in suppressing the Brazilian Slave Trade.

I have, &c.

Viscount Palmerston, G.C.B.

JAMES HUDSON.

(Inclosure.)—Extract of Report presented to the Brazilian Chambers, on 1st January, 1850.

So long as there is not established on a large scale, a system of colonization calculated so as to supply the place of the arms wanting in our agricultural establishment, in order that our productions, instead of retrograding, should at least maintain themselves, even though they did not augment, we should struggle without advantage against the Slave Trade.

It is for this that every one, the friend of his country, ought to make sincere vows that this Legislature should give to it, as early as possible, a law which would satisfy the most urgent necessity which it now feels, which being satisfied, the traffic would disappear of itself, deprived of the interest which nourishes it.

As was exposed in preceding reports, the French Government, without having any Treaty with Brazil, which delegated to it the right of visiting, detaining, and judging Brazilian vessels employed or suspected of being employed in the traffic, arbitrarily arrogated to herself this right, considering them to be comprehended in the French Law of the 10th of April, 1825, which defines this crime under the head of piracy.

Nevertheless, the French tribunals decided that the greater part of these vessels were not equipped according to that law, in consequence of which they were absolved. Scarcely 2 were condemned, the rest being set at liberty, together with their crews.

Subsequently, the French Government declared to that of Her Britannic Majesty, that it had no right to visit and capture Brazilian vessels, in consequence of having no Treaty with Brazil to that effect, as is seen from the following extract of a declaration made by Lord Palmerston, on the 19th of March last, before the Select Committee on the Slave Trade.

Lord Palmerston said that the French Government had recently stated to that of Her Britannic Majesty, that the proportions between their receipts and their expenditure obliged them to make considerable reductions, especially on the Marine Department; that Admiral Cécille, their Ambassador in London, had represented in a note, that the obligations of the French squadron upon the coast of Africa, limited themselves principally to prevent the Traffic in Slaves being carried on under the French flag; that France had no Treaties with Spain, Portugal, and Brazil, whose flags were most employed in that traffic, which conceded the reciprocal right of search; and, therefore, with regard to the traffic carried on under the flag of either of these 3 nations, their squadron could be of no use: that the French Government further declared, that when it concluded the Treaty, it conceived that French law granted powers to judge the traffickers in slaves as pirates, but that the decisions of their tribunals in contested cases of captures made under this conviction had, in so many cases been given against the captors, that it was obliged to alter the instructions which it had before given to the squadron; and that, under these circumstances, the French Government stated that the number of 24 vessels, which, according to the Treaty, France is obliged to maintain, is more than is necessary for the object had in view by that squadron, and proposed that by mutual agreement it should be allowed to be reduced to 12, under promise that, should

a change in circumstances require a greater number, France should immediately raise it. The British Government, Lord Palmerston added, acquiesced with this requisition, under the condition always, that if the Traffic in Slaves was again carried on under the French flag, the French Government should augment its cruisers on the coast of Africa, as far as was necessary to prevent the abuse of its flag.

The decision just taken by France and Portugal, and which is a true act of justice, and a respect for the Law of Nations, in recognizing that the right of searching, detaining, and judging Brazilian vessels, could only be conceded to them by Treaties in which Brazil expressly authorized and delegated this right, essentially belonging to the sovereignty and independence of all nations, is a further proof of the justice with which the Imperial Government has constantly protested against the violences committed by the English cruisers, without any Treaty to authorize them, and in virtue of special instructions which the Imperial Government has no knowledge of before their being carried into execution, as well as of a foreign law, the British law of the 8th of August, 1845.

Therefore, it is beyond doubt that the Convention of the 23rd of November, 1826, of itself alone does not authorize the right of searching and condemning Brazilian subjects by other tribunals not the ordinary ones of the empire.

No. 43.—Mr. Hudson to Viscount Palmerston.—(Received April 5.)
 MY LORD, *Rio de Janeiro, February 20, 1850.*

THE Brazilian Minister for Foreign Affairs having declared in the report upon the state of the foreign relations of Brazil, which he presented to the Brazilian Legislature on the opening of their present session, that it is the intention of the Imperial Government to re-introduce the Project of Law No. 133, against Slave Trade, which was sent down to the Brazilian Chamber of Deputies, with certain amendments by the Senate, on the 1st September, 1848, I conceived it my duty to demand an explanation of the matter from Senhor Paulino.

On the 7th instant, therefore, I pointed out to Senhor Paulino the gross injustice contained in the 13th paragraph of that project of law, the intention of which is evidently to reduce free men to the condition of brute beasts; and I recalled to his Excellency's recollection the protests against that paragraph, and against the principle of the project of law itself, which I had addressed to his predecessor in office on the 4th and 11th September, 1848.

Senhor Paulino declared explicitly that it is the intention of the Brazilian Cabinet to strike out the 13th paragraph, and to alter other parts of the Project No. 133.

His Excellency then informed me that the other measures which the Brazilian Cabinet intended to adopt for the suppression of the Brazilian Slave Trade, consist in ordering 2 armed vessels to cruise against Slave Trade in the vicinity of this capital, and his Excellency asked me to supply him with information upon Slave Trade as carried on from Rio de Janeiro, in order that those cruisers might more effectually prevent the importation of slaves.

I have the honour to inclose the copy of a letter which, in consequence of this request, I addressed to Senhor Paulino, and I annexed to that letter a list of vessels which are expected to arrive with slaves to the northward of this capital during the present month.

On the 14th instant, I informed Senhor Paulino that 2 of the vessels named in that list had landed upwards of 1,000 slaves at the point named in the list, and I urged that the Brazilian authorities of the district should be instructed to seize the Africans and to prosecute the importers.

His Excellency, however, said nothing which induced me to suppose that the laws of Brazil will upon this occasion be put in execution, but he then proceeded to remark that one of the amendments which the Brazilian Government propose to add to the Project of Law No. 133, will give the Brazilian Government power to condemn the slave-vessels when captured by Brazilian cruisers, or when indicted by Brazilian authorities.

I asked Senhor Paulino why the Brazilian Law of 7th November, 1831, was not put in force against the importers of slaves, and why the Brazilian slaves were not seized by the Brazilian authorities now?

His Excellency, with great candour, said that the slaves were not seized, because the Brazilian Government did not know what to do with them; but that a plan was under the consideration of the Imperial Cabinet for transporting slaves so seized to Africa.

I asked if his Excellency had considered the expense of their transport, and whether the Imperial Treasury could bear it? and, after discussing the point, his Excellency seemed to be of opinion that the Brazilian Treasury could not defray it.

I am therefore inclined to think this plan quite chimerical, and, in point of fact, highly objectionable, as relieving the importers of slaves from the penalties of the Brazilian Law of the 7th November, 1831.

There is no doubt that if that law were fairly put in execution, it is amply sufficient to suppress the Brazilian Slave Trade; it is not, therefore, without alarm that I see the Project of Law No. 133 revived.

I have to report to your Lordship that the Brazilian Government

have ordered 2 armed vessels to cruise against Slave Trade, but I have not learned that their operations have been attended with any success. I deeply lament to state that no steps whatever are taken on shore to enforce the Law of 7th November, 1831.

I have, &c.

Viscount Palmerston, G.C.B.

JAMES HUDSON.

No. 49.—Viscount Palmerston to Mr. Hudson.

SIR,

Foreign Office, April 13, 1850.

I HAVE received your despatch of the 20th of February last and its inclosures, upon the subject of the seizure of the Brazilian slave-vessel *Santa Cruz*, by Commander Schomberg, of Her Majesty's ship *Cormorant*, on the 5th of January last, to the southward of the port of Rio de Janeiro.

I have to instruct you to present a note to the Brazilian Minister for Foreign Affairs, saying, that Her Majesty's Government have received copies of the correspondence which has passed on this subject between the Brazilian Government and yourself, and that they entirely approve the note which you addressed to Senhor Paulino on the 19th of February last; and that you are further instructed to request the Brazilian Government calmly and seriously to consider the extreme nature of the rights which Great Britain has acquired against Brazil by the deliberate, systematic, and long-continued violation by the Government of Brazil, of the treaty engagements between the Crown of Brazil and the Crown of Great Britain; and you will say, that Her Majesty's Government feel satisfied that the Brazilian Government will, upon reflection, do justice to the great moderation and forbearance which the British Government has hitherto displayed, by availing itself of those rights only in so limited a degree. But you will add, that Her Majesty's Government hope and trust that the Government of Brazil will henceforward by a full, faithful, and efficient execution of its treaty engagements, relieve Her Majesty's Government from the necessity of proceedings which, however much they may be justified and rendered necessary by the conduct pursued up to the present time by the Government of Brazil, are nevertheless very painful to Her Majesty's Government.

I am, &c.

J. Hudson, Esq.

PALMERSTON.

No. 52.—M. de Amaral to Viscount Palmerston.—(Rec. April 19.)

Légation Impériale du Brésil, le 17 Avril, 1850.

LE Soussigné, Chargé d'Affaires de Sa Majesté l'Empereur du Brésil, a l'honneur de s'adresser à son Excellence le Vicomte Palmerston, Principal Secrétaire d'Etat de Sa Majesté Britannique

au Département des Affaires Etrangères, au sujet de la visite du bateau à vapeur *São Sebastião*, et de sa capture et destruction par le feu de la barque *Santa Cruz*, dont il a eu récemment l'honneur d'entretenir son Excellence. Sans abandonner la réclamation contre la capture du bateau à vapeur *Paquete de Santos*, dont il s'est aussi occupé, le Soussigné croit de son devoir de renouveler par ce moyen les représentations qu'il fit alors à Lord Palmerston relativement aux deux autres navires. Il chérit l'espoir que son Excellence voudra bien les prendre de nouveau en considération, et que, en reconnaissant le tort des croiseurs Anglais, elle n'hésitera pas à faire droit aux justes réclamations du Gouvernement Impérial.

Le simple exposé des faits qui font l'objet de ces réclamations suffit pour en montrer toute la justice et pour justifier la nouvelle démarche que le Soussigné a l'honneur de faire en ce moment.

Le *São Sebastião*, bateau à vapeur employé dans le service régulier de la côte du Brésil, revenait de son voyage habituel aux provinces du nord, quand, le 23 Janvier, celui de Sa Majesté Britannique le *Rifleman* l'ayant arrêté dans sa course licite par un coup de canon, le fit visiter malgré les représentations de son commandant, qui, revêtu de l'uniforme de Lieutenant de la Marine Impériale, prouvait incontestablement la qualité de son navire. Cette qualité était, d'ailleurs, un fait généralement connu. Après la visite la plus rigoureuse, le *São Sebastião* a été relâché, ce qui devient la preuve la plus claire que les soupçons dont il a été la victime n'étaient nullement fondés. Ses privilèges auraient dû le protéger contre une pareille insulte, mais le croiseur Anglais ne s'est pas arrêté devant cette considération, et a ouvert par sa conduite, un nouveau système de persécution, que rien n'autorise, et qui, le Soussigné aime encore à l'espérer, ne trouvera pas d'appui dans le Gouvernement de Sa Majesté Britannique.

La barque *Santa Cruz* était partie de Santos en destination aussi à Rio de Janeiro. Le bateau à vapeur *Cormorant* l'a visitée tout près de la côte, et l'a brûlée avec sa cargaison licite et ses papiers, ayant d'abord fait débarquer l'équipage.

Telle a été la conduite des croiseurs Anglais. En jetant les yeux sur la carrière qu'ils poursuivent depuis de longues années, le Soussigné voit avec peine s'agrandir chaque jour le mal contre lequel son Gouvernement réclame inutilement. Ce n'est plus contre les simples navires marchands, ce n'est plus à l'abri de la Loi de 1845, qu'on agit. Les privilèges qu'on respecte partout, la juridiction qui était au moins un simulacre de justice, sont mis de côté, et les croiseurs Anglais prennent sur eux la triple responsabilité de capteurs, de juges, et d'exécuteurs.

Le Gouvernement Impérial ayant toujours protesté, comme il proteste encore, contre la faculté qu'on s'est appropriée, de faire

arrêter, visiter, juger et condamner les navires Brésiliens, le Soussigné n'insiste pas sur les circonstances qu'il vient de dénoncer, comme les seules causes de plainte de la part de son Gouvernement. Il les porte plus particulièrement à la connaissance de Lord Palmerston, comme un surcroît d'injustice, comme des faits qui, par leur nature plus grave, demandent, autant et plus que tout autre, une réparation satisfaisante.

Cette réparation n'est pas réclamée seulement par la dignité offensée de la Marine Impériale, et par le principe méprisé de droit universel, si bien compris en Angleterre, par lequel il est défendu à qui que ce soit de priver l'accusé des preuves de sa cause et de le punir avant de le faire juger. Elle l'est aussi par d'autres intérêts non moins graves, qui se trouvent compromis par la conduite des croiseurs Anglais.

Le Soussigné croit inutile d'entrer dans un long examen de ces intérêts. Il suffit de les indiquer pour que leur importance, en attirant l'attention de Lord Palmerston, obtienne de son Excellence l'expédition des ordres nécessaires pour qu'ils soient respectés.

Il ne s'agit pas, dans le cas du *São Sebastião*, d'un simple navire employé par un propriétaire dans les entreprises licites de son commerce particulier ; mais d'un navire qui, étant destiné à établir des moyens rapides de communication entre les différentes provinces de l'empire, est devenu une ressource indispensable aux intérêts des étrangers et des nationaux, essentielle toujours à la bonne administration du pays, souvent à la conservation de l'ordre public.

Cette considération suffirait, dans l'opinion du Soussigné, pour mettre les navires de cet ordre à l'abri de toute persécution ; mais dans le cas qu'il dénonce, elle n'est pas la seule qu'on ait méconnue.

C'est un fait reconnu, et les autorités Anglaises l'ont avoué, que depuis quelque temps une réaction s'opère dans l'esprit de la population Brésilienne, en faveur des vues que le Gouvernement de l'Empereur et celui de la Reine entretiennent à l'égard de la Traite des Noirs. Ce changement salulaire, hautement réclamé par les 2 pays comme le seul moyen de succès durable, loin d'être animé par la conduite dont le Soussigné se plaint, y trouve un obstacle sérieux par l'outrage qu'elle fait à la dignité nationale qui lui est si intimement liée.

Le Gouvernement Anglais, qui n'a pas à lutter dans les limites de son royaume contre le mal de la Traite et les difficultés immenses qui en font le cortège, ne peut pas faire justice entière à la profonde peine avec laquelle le Gouvernement Impérial a vu qu'on mettait en danger le seul moyen sûr qu'il ait de mettre un terme à tant de difficultés, les sympathies du peuple. Il l'a vu cependant quand il s'y attendait le moins, c'est-à-dire, quand les preuves les plus convaincantes étaient données, de la sincérité de ses intentions.

C'est ainsi que la conduite des croiseurs Anglais a été justement calculée pour produire l'effet opposé à celui qu'on a en vue. C'est pourtant dans l'intérêt de la cause que le Gouvernement Anglais a épousée, aussi bien que des principes éternels de justice que le Soussigné est appelé à demander la désapprobation des procédés dont il se plaint, l'expédition des instructions nécessaires pour qu'ils ne se reproduisent dans le futur, et l'indemnisation en faveur des sujets Brésiliens qui en ont été les victimes.

Le Soussigné, ayant pleine confiance dans l'esprit de justice de Lord Palmerston, ne doute pas que son Excellence le mettra à même de porter à la connaissance de son Gouvernement une réponse favorable.

Le Soussigné, &c.

S.E. le Vicomte Palmerston, G.C.B.

J. P. DE AMARAL.

No. 53.—Viscount Palmerston to M. de Amaral.

Foreign Office, April 30, 1850.

THE Undersigned, &c., has the honour to acknowledge the receipt of the note of M. de Amaral, &c., dated the 17th instant, complaining that the Brazilian mail steamer *São Sebastião* was visited on the coast of Brazil by a British cruiser, on suspicion of being engaged in the Slave Trade; and that, on similar grounds, the steamer *Paquete de Santos* was captured by Her Majesty's steam-vessel *Rifleman*; and also that the slave-barque *Santa Cruz* was captured and destroyed by Her Majesty's steam-sloop *Cormorant*.

The Undersigned begs to assure M. de Amaral, that it has been a source of deep regret to Her Majesty's Government that the proceedings to which his note relates should have become necessary, but the necessity which has led to them originates in the long-continued and systematic violation by the Brazilian Government of the Treaty engagements contracted towards Great Britain by the Crown of Brazil.

The Government of Brazil cannot but be aware of the nature of the extreme rights which by the law of nations the violation of a Treaty engagement gives to the State towards which the engagement is broken, as against the State by which the engagement is violated; and the Brazilian Government ought to do justice to the moderation which has been displayed by Great Britain in perseveringly forbearing from the exercise of that right.

The British Government has contented itself with exerting an action distinctly authorised by the terms of the Treaty of 1826, and falling within the scope of those functions which the Brazilian Government ought itself to have co-operated with the Government of Great Britain in performing; and Her Majesty's Government cannot admit that the Government of Brazil has any just foundation

whatever on which to rest any remonstrance against that action as it has been exercised by the Government of Great Britain.

With regard to the 3 cases mentioned by M. de Amaral, the Undersigned would beg to observe that it is well known that slave-ships which come over from the coast of Africa land their cargoes of negroes at certain convenient depôts on the coast of Brazil or on the adjacent islands, and that those negroes are conveyed away from those depôts in detachments by small coasting vessels, and are thus distributed at the several places for which they are destined. In order therefore, to prevent this violation of the Treaty, it is necessary for Her Majesty's cruisers on the coast of Brazil to examine such of the coasting vessels as may be suspected of being so employed in the conveyance of slaves. The *São Sebastião* having been suspected on reasonable grounds of being so employed, that vessel was accordingly stopped and searched, but as no newly imported negroes were on board, and as the vessel was found to be carrying an ordinary commercial cargo of oranges, poultry, and other things of a similar kind, and to be to all appearance a common coasting trader not employed in Slave Trade, she was immediately allowed to proceed on her voyage. It is a mistake, however, to represent the *São Sebastião* as a Government vessel, for she belonged not to the Brazilian Government, but to a private company. There was, indeed, on board of her a pendant, which is used by such coasting vessels under the notion that it is a protection against being searched by British cruisers; but she was not armed with guns; nor was she in any way equipped as a man-of-war, and she had a trading manifest and was simply a carrier of merchandise and passengers. With respect to the master, although he called himself an officer of the imperial navy, and pointed to what he said was his uniform, which consisted of 2 narrow stripes of lace on the collar of his coat, yet his dress was not different to that which is often worn by the masters of the trading and slaving steamers on the coast of Brazil, who frequently put on a similar sort of uniform, with the addition of a gold band on their cap; but even if he was an officer of the Brazilian navy, the circumstance could afford no reason why the *São Sebastião* should not have been searched, because the fact that a Brazilian coasting vessel may be commanded by an officer of the Brazilian navy, does not entitle that vessel to be employed in Slave Trade.

With regard to the *Santa Cruz*, she was a vessel notoriously employed in the Slave Trade, and a short time before she was met with by Her Majesty's steam-sloop *Cormorant*, she had actually landed a cargo of slaves in the province of Rio de Janeiro. Commander Schomberg, on examining the *Santa Cruz*, found on board of her all the indications of her having been recently engaged in Slave Trade; he therefore took possession of her, and detained her master

and 2 of her crew to defend her in the Court of Adjudication. He then ordered a minute survey to be held upon her, the result of which was, that she was found not to be seaworthy, and therefore to be incapable of making the voyage to St. Helena for adjudication, without great danger to the lives of the officers and men who might be put on board her to navigate her thither. She was therefore destroyed on the spot; an operation which is invariably performed in regard to all slave-ships which are found to be in a similar condition when captured; but in her case, as in all others of a like nature, documents and proofs were sent to the Court of Adjudication sufficient to enable the case to be brought to trial before the Vice-Admiralty Court, and that court will upon these proofs pronounce its decision whether the *Santa Cruz* was legally detained or not. The destruction of the ship, therefore, does not in any degree supersede or prevent a regular trial of her case.

With regard to the steamer *Paquete de Santos*, the Undersigned has the honour to observe that she is the same vessel which, under the name of the *Providencia*, has been for some time notoriously and successfully engaged in Slave Trade, having brought several cargoes of negroes from Africa to Brazil. The commander of Her Majesty's steam-vessel *Rifleman*, having chased and boarded the steamer, thought it his duty, from the state in which he found her general fittings and appearance, to detain and send her to St. Helena for adjudication.

Commander Crofton, in reporting to Her Majesty's Government the case of this vessel, after describing in detail the nature of her fittings, declares that in July, 1849, the *Paquete de Santos* alias *Providencia*, was chased into Santos by Her Majesty's steam-vessel *Hydra*, the *Providencia* being at the time fully equipped and provisioned for a slave-trading voyage; that on the 29th of July, 1849, he received orders to remain at Santos in Her Majesty's steam-vessel *Rifleman* to watch the *Providencia*, and that he there saw her unloaded, and that he continued to watch her from that time until the 3rd of December, 1849, in order to prevent her from escaping and returning to her Slave Trade pursuits.

Commander Crofton farther reports that the engineer who was on board the vessel at the time of her capture, stated in his presence that the *Paquete de Santos* had since he, the said engineer, had been in her, made 4 successful voyages to the coast of Africa, bringing home each time to Brazil from 1,000 to 1,500 negroes.

Such being the circumstances under which the 3 vessels mentioned by M. de Amaral were searched or detained, the Undersigned is convinced that the Brazilian Government will see that there was, in each case, sufficient reason for the proceeding which took place.

With regard to the orders which M. de Amaral expresses the wish of the Brazilian Government that Her Majesty's Government should give to prevent the recurrence of similar proceedings, the Undersigned regrets extremely that he is unable to state to M. de Amaral that such orders will be given. He fears indeed, that he must request M. de Amaral to prepare the Brazilian Government to expect that the exertions of the British cruizers for the suppression of Slave Trade on the Brazilian coast will for the future be more active and effectual than the dispersed state of the squadron on that station has for some time past rendered it possible for those exertions to be.

The Undersigned, however, can assure M. de Amaral, that nothing can be further from the wish of Her Majesty's Government than to do anything which can justly be considered as derogatory to the honour and dignity of the Brazilian Government and nation; but he would beg to observe, that the honour and dignity of a nation and of its Government are best promoted by a faithful observance of Treaties with foreign Powers, and by a watchful enforcement of the laws which in execution of those Treaties may have been enacted for the prevention and punishment of atrocious and debasing crimes.

That the Brazilian Government has the power to enforce its own laws and to fulfil its Treaty engagements against Slave Trade, no reasonable man can for one moment doubt; its power to do so is indisputable; its omission to do so cannot admit of any satisfactory explanation.

Her Majesty's Government are quite aware that, as is stated by M. de Amaral, an opinion is rapidly growing up and is widely spreading in Brazil, that the continuance of the Slave Trade is no less adverse to the true interests of the Brazilian nation than it is at variance with the Treaty engagements of the Brazilian Crown; but the Undersigned must observe that the prevalence of that opinion must afford to the Brazilian Government additional facilities for fulfilling its Treaty engagements, and for carrying its own laws against Slave Trade into execution.

M. de Amaral, however, expresses an apprehension that the measures of repression by which Her Majesty's Government are endeavouring to put a stop to the Slave Trade on the coast of Brazil, will have a tendency to check this generous and honourable feeling in the people of Brazil, and will thus render it more difficult for the Brazilian Government to fulfil its Treaty engagements; but Her Majesty's Government cannot share in such apprehensions, for they are inclined to think, on the contrary, that the enlightened part of the Brazilian nation, who now deplore the continuance of the Slave Trade, as tending to the moral degradation and to the physical injury of any country in which it is allowed to exist, will be still

more excited to wish for the suppression of that criminal practice in Brazil, when they see that its continuance therein is the direct cause of proceedings on their coast which M. de Amaral represents to be liable to be regarded, though, as it appears to the Undersigned, without just reason, as derogatory to the country.

The Undersigned, &c.

M. de Amaral.

PALMERSTON.

No. 55.—M. de Amaral to Viscount Palmerston.—(Received May 14.)

Légation Impériale du Brésil, le 13 Mai, 1850.

LE Soussigné, Chargé d'Affaires de Sa Majesté l'Empereur du Brésil, a reçu la note que son Excellence le Très-Honorable Vicomte Palmerston, Principal Secrétaire d'Etat de Sa Majesté Britannique au Département des Affaires Etrangères, lui a fait l'honneur de lui adresser le 30 Avril, en réponse à la sienne du 17 du même mois.

Le Soussigné a lu avec la plus profonde peine, la réponse de Lord Palmerston à justes demandes. Loin d'y trouver la réparation des griefs du Gouvernement Impérial, il y voit la déclaration que celui de Sa Majesté Britannique se croira peut-être obligé d'y ajouter, en autorisant la continuation des procédés violens de ses croiseurs; la singulière qualification de ces procédés comme des preuves de modération et des actes émanés du Traité de 1826; et, ce qui est encore plus, l'imputation de violation systématique des clauses de ce même Traité au Gouvernement Impérial.

Le Soussigné croit inutile d'entrer de nouveau dans l'examen des procédés contre lesquels il a réclamé. Il est persuadé d'en avoir assez dit pour prouver qu'il n'y a pas de considération qui puisse les justifier; et, malheureusement, il ne voit pas dans les observations de Lord Palmerston une seule qui puisse leur donner le caractère de légalité qui leur manque, ni atténuer les circonstances aggravantes dont ils sont accompagnés. Ce n'est pas, en effet, dans les principes sacrés du Droit des Gens, ni dans les termes du Traité de 1826, qu'on en trouverait l'excuse; et, au lieu de les justifier, on en rend l'injustice plus frappante quand, dans l'absence de tout fondement légal, on veut leur donner pour cause une violation d'engagements dont l'imputation ne fait qu'ajouter un grief de plus à ceux qu'on refuse de réparer.

Le Soussigné manquerait à son devoir et à sa conscience, si, en gardant le silence en vue d'une pareille imputation, il pouvait donner lieu à supposer qu'elle ait le moindre fondement. Il la déclare entièrement gratuite, et proteste contre elle de toute l'énergie de son âme. Le Gouvernement Impérial a eu toujours à cœur de remplir ses engagements, et on ne saurait, en justice, le rendre responsable des obstacles qui s'opposent à ses intentions et à ses efforts, et qui, le Soussigné se voit dans la nécessité de le dire, doivent aussi leur

origine aux ressources indirectes que l'industrie Anglaise fournit à la Traite des Noirs.

En se déclarant ainsi contre cette extraordinaire imputation, il ne reste au Soussigné qu'à protester, comme il le fait par la présente, contre les violences pratiquées envers les sujets Brésiliens et leur propriété, et contre l'atteinte portée à la dignité de la Marine Impériale.

Le Soussigné, &c.

S.E. le Vicomte Palmerston, G.C.B.

J. P. DE AMARAL.

No. 57.—Mr. Hudson to Viscount Palmerston.—(Received May 21.)

MY LORD,

Rio de Janeiro, March 23, 1850.

I HAVE the honour to inclose herewith the copy of a note which, in obedience to the instructions contained in your Lordship's despatch of the 29th of December last, I have addressed to the Brazilian Minister for Foreign Affairs, upon the subject of the complaint made by the Imperial Government against Her Majesty's ships of war for detaining and visiting Brazilian vessels within the territorial waters of the Brazilian Empire, and especially off and at the mouth of the port of Bahia.

I have, &c.

Viscount Palmerston, G.C.B.

JAMES HUDSON.

(Inclosure.)—Mr. Hudson to Senhor Paulino de Souza.

Rio de Janeiro, March 9, 1850.

THE Undersigned, &c., having transmitted to the Government of the Queen a copy of the note which he received from Viscount Olinda on the 3rd of September last, complaining that Her Majesty's ships of war have detained and visited Brazilian vessels within the territorial waters of the Brazilian Empire, and especially off and at the mouth of the port of Bahia, is instructed to state to Senhor Paulino José Soares de Souza, &c., that Her Majesty's Government regret very much that the necessary and unavoidable proceedings of Her Majesty's cruizers on the coast of Brazil for the suppression of Slave Trade should not have met with the approval of the Government of Brazil, and the more so, because it will be impossible for Her Majesty's Government to discontinue those proceedings until the Government of Brazil shall take proper measures for fulfilling the treaty engagements of the Brazilian Crown for the total and entire suppression of the Slave Trade of Brazil.

Her Majesty's Government, however, can, with great sincerity, assure the Government of Brazil that, in ordering the British naval officers on the coast of Brazil to continue to take measures which are necessary for the suppression of the Slave Trade, it is far from the intention of Her Majesty's Government to infringe upon the honour and dignity of the Brazilian Crown; their intention, on the contrary, is to support that dignity and honour by putting an end, if possible,

to a state of things which, being a direct and flagrant violation of the solemn engagements of the Crown of Brazil, is highly derogatory to the honour and dignity of the Imperial Government.

The Undersigned, &c.

Senhor de Souza.

JAMES HUDSON.

No. 60.—Viscount Palmerston to M. de Amaral.

Foreign Office, June 11, 1850.

THE Undersigned, &c., has had the honour to receive the note addressed to him by M. de Amaral, &c., on the 13th ultimo, relating to the recent proceedings of Her Majesty's cruisers on the coast of Brazil, for the suppression of the Slave Trade. In reply to this communication, the Undersigned begs to refer M. de Amaral to the contents of his note of the 30th of April; but he must further be allowed to observe that, although M. de Amaral has denied in his note that the Brazilian Government has systematically and continuously broken the engagement contracted by the Brazilian Crown by the Treaty of 1826, he has omitted to adduce any proof in support of his denial.

The Undersigned, &c.

M. de Amaral.

PALMERSTON.

No. 61.—Mr. Hudson to Viscount Palmerston.—(Received July 9.)

MY LORD,

Rio de Janeiro, May 12, 1850.

WITH reference to my despatch of the 23rd of March, respecting a complaint on the part of the Brazilian Government, that Her Majesty's vessels of war had broken through the regulations of the Brazilian ports, I have now the honour to transmit herewith to your Lordship the copies of a further correspondence which has passed upon this subject between the Brazilian Government and myself.

I have, &c.

Viscount Palmerston, G.C.B.

JAMES HUDSON.

(Inclosure 1.)—Senhor Paulino de Souza to Mr. Hudson.

Department of Foreign Affairs,

(Translation.)

Rio de Janeiro, April 5, 1850.

THE Undersigned, &c., acknowledges the receipt of the note which Mr. Hudson addressed to him on the 10th ultimo, declaring not only that he had laid before his Government the note which, on the 21st of July, last year, the predecessor of the Undersigned had addressed to him, complaining that British ships of war left this port at night, without giving the necessary notice, thus infringing the regulations; but that he had also, on the same occasion, reported that, at Bahia, vessels employed in Slave Trade had left that port at night, contrary to the above-mentioned regulations; and that he had received instructions from the Government of Her Majesty to state

to the Undersigned, that if those regulations were not vigorously enforced against all vessels, it was not to be expected that British ships of war would comply with those regulations.

The Undersigned is surprised at such a declaration which amounts to a hint (*insinuação*) to the British authorities to violate the laws of the empire, and the more so, because the fact that, by accident, a small vessel, favoured by a dark night, had left the harbour unperceived by the forts, does not prove that the regulations of the port were not in vigour against such a proceeding on the part of any ship, no matter to what country she might belong.

It remains only to the Undersigned to declare that the Imperial Government will address the proper departments, in order that the greatest vigilance be used, in order that permission be not given to any vessels, whether merchantmen or vessels of war, to leave (port) contrary to the regulations referred to, adopting such measures as are fit, in order that the right which the empire possesses to watch and guard its own ports in such a manner as is fitting, shall not, knowingly, be evaded.

The Undersigned thus also replies to the former notes of Mr. Hudson, dated 23rd of September and 7th of August of last year, and avails, &c.

J. Hudson, Esq.

PAULINO JOSE SOARES DE SOUZA.

(*Inclosure 2.*)—*Mr. Hudson to Senhor Paulino de Souza.*

Rio de Janeiro, April 24, 1850.

THE Undersigned, &c., has received the note which his Excellency Senhor Paulino José Soares de Souza, &c., addressed to him on the 5th instant, upon the subject of the complaint of the Imperial Government, that vessels of war of Her Britannic Majesty had left the harbour of Rio Janeiro at night, contrary to the port regulations of the empire.

Senhor Paulino J. S. de Souza expresses his surprise at the declaration which the Undersigned, by order of his Government, conveyed to his Excellency upon this question—a declaration based upon the information which the Undersigned had reported to his Government of the practice pursued by slave-vessels, of leaving the ports of Bahia and Rio Janeiro by night, contrary to the regulations of those ports; and his Excellency states that possibly a small vessel, favoured by a dark night, might have slipped out, unperceived by the forts, contrary to those regulations.

The Undersigned will leave it to his Excellency Senhor Paulino J. S. de Souza to decide whether vessels of 180 tons burthen or upwards, can be classed as “small vessels;” and the Undersigned begs to refer his Excellency to the cases of the *Galgo* and *Imogene*, and to the public complaint lodged at the Custom-House of this

capital, by the authorities of The United States, with regard to the departure of the latter vessels, contrary to the regulations of this port.

The Undersigned, however, previously to receiving the note of his Excellency Senhor Paulino J. S de Souza of the 5th instant, had already conveyed to his Government a knowledge of the fact, that the President of Bahia had put the regulations of that port in force, with reference to the departure from it of slave-vessels by night; and Her Majesty's Government have expressed to the Undersigned their entire satisfaction at the circumstance.

It will now become the duty of the Undersigned to report to his Government the determination which Senhor Paulino J. S. de Souza has done him the honour to state to him, namely, that the Imperial Government will not permit any vessel whatever, whether of war or a merchantman, to leave Brazilian harbours, contrary to the regulations of the Imperial ports; a determination which the Undersigned does not doubt will be received with equal satisfaction by the Government of the Queen.

The Undersigned, &c.

Senhor de Souza.

JAMES HUDSON.

No. 62.—Mr. Hudson to Viscount Palmerston.—(Received July 9.)

MY LORD,

Rio de Janeiro, May 12, 1850.

WITH reference to your Lordship's despatch of the 27th of February, instructing me to address to the Brazilian Government a note (the draft of which was inclosed in your Lordship's despatch), drawing their serious attention to the continued and vast importation of African negroes into the Brazilian territory, in violation of the Treaty engagements and in defiance of the laws of Brazil; and also to bring under their notice the condition of those negroes who were declared to be emancipated by the Mixed Commission which was established at Rio de Janeiro in pursuance of Articles II, III, and IV of the Treaty of 1826; I have the honour to inclose herewith a note which in obedience to your Lordship's instructions I have presented to the Imperial Government.

I have, &c.

Viscount Palmerston, G.C.B.

JAMES HUDSON.

(Inclosure.)—Mr. Hudson to Senhor Paulino de Souza.

Rio de Janeiro, April 26, 1850.

THE Undersigned, &c., has been instructed by Her Majesty's Government to draw the serious attention of the Government of Brazil to the continued and vast importation of African negroes into the Brazilian territory, in violation of the Treaty engagements and in defiance of the laws of Brazil.

By the Treaty concluded at Rio de Janeiro on the 23rd November, 1826, the Crown of Brazil engaged that at the expiration of

3 years from the exchange of the ratifications of that Treaty, it should not be lawful for the subjects of the Emperor of Brazil to be concerned in the carrying on of the African Slave Trade, under any pretext, or in any manner whatsoever; and that the carrying on of such trade after that period by any person, subject of His Imperial Majesty, should be deemed and treated as piracy.

The ratifications of that Treaty having been exchanged at London on the 13th of March, 1827, the above-mentioned engagement came into force on the 14th of March, 1830, and the Brazilian Government was bound from and after that day to inflict upon all Brazilian subjects who might in any manner, or under any pretext whatever, be concerned in the African Slave Trade, the punishment which is due to pirates.

In order to carry this engagement into full effect, a new law was necessary, by which the penalties belonging to piracy should be attached to the crime of slave-trading. But up to this time no such law has been promulgated in Brazil, and the omission to promulgate such law is a breach of the engagements of the Treaty of 1826, of which Her Majesty's Government have to complain.

But although the Brazilian Government did not at the time fulfil, and has never since fulfilled this plain and explicit engagement, nevertheless, on the 24th of November, 1831, a law was promulgated by the Emperor of Brazil, attaching to the crime of slave-trading certain punishments of fine and imprisonment, which, though less severe than the punishment attached to piracy, and therefore not fully answering to the engagements of the Treaty of 1826, were yet applicable to all persons who might in any manner be concerned in the crime of Slave Trade, and those punishments would, no doubt, if the law had been put into force, have greatly checked, if they had not entirely prevented the commission of such offences.

But from 1831 down to the present time, that law has remained almost a dead letter, and has never been effectually put in force by the Brazilian Government, and this is another head of complaint by Her Majesty's Government in regard to the omission by the Government of Brazil to fulfil the engagements of the Treaty of 1826.

It cannot be alleged by the Government of Brazil, that the reason why the Law of 1831 has not been put into force is, that the crime against which that law provides has ceased to be committed, or that it is of rare occurrence, or that if committed it is committed in secret, so that its detection being difficult, its punishment is next to impossible. Far different is the fact. The crime of slave-trading continues to be committed in Brazil most extensively, notoriously, and openly; and if the Brazilian Government were to take the proper measures for the purpose, there is no reason to suppose that

it could have any serious difficulty in detecting the offenders and in bringing them to justice.

But not only does the Brazilian Government remain a passive spectator of crimes which are committed without disguise or concealment in open day, and even in the streets of the capital of the empire, but Her Majesty's Government have good reason to believe that the offenders are enabled thus to set at defiance the laws of Brazil and the Treaty engagements of the Imperial Crown, by the constant connivance, if not by the protection and encouragement, of those very officers of the Brazilian Government who ought to prevent such scandalous offences from being practised; and this is another head of complaint on the part of Her Majesty's Government against the Government of Brazil, in regard to its failure to execute the Treaty of 1826.

The Undersigned has been instructed to say, that a state of things so inconsistent with the good faith and honour of the Brazilian Crown, and so incompatible with the Treaty rights of Great Britain, ought not to be allowed to continue.

This state of things, moreover, is disgraceful to the Christian world, and opposes an insurmountable barrier to the progress of legitimate commerce and of civilization on the continent of Africa.

The vast regions of that continent, which nature has endowed with extraordinary fertility, and which abound with valuable productions, affording almost unlimited resources for the commerce of the other quarters of the globe, are by the criminal speculations of the Brazilian slave-traders made the scene of violence, of rapine, and of bloodshed; and the Brazilian Government is thus, by the violation of its Treaty engagements, the promoter not only of crime in Brazil, but of desolation and barbarism in Africa.

Her Majesty's Government, therefore, is entitled to demand as a right, that the Government of Brazil shall carry fully and faithfully into execution the engagements of the Treaty of 1826, by deeming and treating as pirates all subjects of His Imperial Majesty who may, under any pretext, or in any manner whatever, be concerned in carrying on the African Slave Trade; and Her Majesty's Government request to be made acquainted with the measures which the Brazilian Government may intend to adopt for the accomplishment of this purpose.

There is another point connected with this subject to which Her Majesty's Government beg to draw the attention of the Government of Brazil.

In pursuance of Articles II, III, and IV of the Treaty of 1826, Mixed Commissions were appointed to adjudicate slave-ships, and their cargoes captured by British and Brazilian cruisers; and the Mixed Commission established at Rio de Janeiro, in the performance

of its duties, decreed the emancipation of a considerable number of negro slaves captured in slave-ships which were condemned by that commission.

Those emancipated negroes ought by this time to be in the full enjoyment of their liberty. Her Majesty's Government have reason to believe that they are not in such condition, but that the greater part of them are still practically held in bondage.

Her Majesty's Government propose, therefore, that British and Brazilian Commissioners should be appointed to examine personally these emancipated negroes, in order to give to them all, the full and real enjoyment of that freedom which has been decreed to be their right.

The Undersigned, &c.

Senhor de Souza.

JAMES HUDSON.

No. 63.—Mr. Hudson to Viscount Palmerston.—(Received July 9.)

MY LORD, *Rio de Janeiro, May 12, 1850.*

WITH reference to your Lordship's despatch of the 4th of February, upon the subject of the proposal of the Brazilian Minister for Foreign Affairs, that negroes captured by British cruizers should be sent to the Portuguese colonies in Africa; I have the honour to transmit to your Lordship the copy of a letter which I have accordingly addressed to *Senhor Paulino de Souza*.

I have, &c.

Viscount Palmerston, G.C.B.

JAMES HUDSON.

(Inclosure.)—Mr. Hudson to Senhor Paulino de Souza.

EXCELLENT SIR, *(Confidential.) Rio de Janeiro, April 25, 1850.*

I DID not fail to report to Her Majesty's Principal Secretary of State for Foreign Affairs the confidential communication which I had the honour to receive from your Excellency, namely, that negroes captured by the cruizers of Her Majesty should be sent to the Portuguese colonies in Africa; and I am now informed by Viscount Palmerston, that Her Majesty's Government could not agree to that proposal of the Imperial Government;—first, because negroes so sent, instead of becoming free, as by Brazilian and British law they would be entitled to be, would in all probability be reduced in those colonies to a state of slavery; and, secondly, because it is most likely that they would, moreover, when there, fall again into the hands of slave-traders, and perhaps be again sent over to Brazil.

Accept, &c.

Senhor de Souza.

JAMES HUDSON.

No. 72.—Viscount Palmerston to Mr. Hudson.

SIR,

Foreign Office, August 5, 1850.

I HEREWITH transmit to you an extract from a despatch received at the Admiralty, dated the 27th of May last, from Rear-Admiral Reynolds, commanding the Brazil station, forwarding a report from Commander Crofton, of Her Majesty's steam-vessel *Rifleman*, on the same station, of the particulars of an attack made on the 16th of May last, by a body of piratical ruffians, upon the crew of the cutter of the *Rifleman*, whilst they were seeking shelter from bad weather, under the lee of a small island to the eastward of the Island of Moela, near Santos, in which affair one of the crew of the *Rifleman* was shot dead.

I have to instruct you to state to the Brazilian Government, that Her Majesty's Government have learnt with great regret, this outrage committed on the crew of a boat belonging to the British Navy, and more especially the wanton murder of a sailor in Her Majesty's service; and that Her Majesty's Government expect and demand that the Brazilian Government shall, without loss of time, take such steps as may be necessary for the purpose of bringing to justice the persons who were guilty of these most criminal acts.

You will further state, that Her Majesty's Government also expect that the Brazilian Government will take, without delay, effectual measures for rooting out from the Brazilian coast, and from the islands off that coast, the barracoons and other arrangements which are established there for purposes of Slave Trade.

You will add, that Her Majesty's Government consider themselves fully entitled by the engagements of the Brazilian Crown in regard to the Slave Trade, to make this demand, but that they deem it right at the same time, to say that if the Brazilian Government shall neglect to employ their own means to disperse the bands of pirates who collect in these barracoons and in other similar Slave Trade establishments, Her Majesty's Government cannot permit the valuable lives of Her Majesty's officers and sailors to continue to be exposed to the attacks of such miscreants, and that the Admiral commanding on the station will be authorized to have recourse to such measures as may be necessary for securing the ships, the boats, and the crews under his command, from future insults and outrages of this kind.

I am, &c.

J. Hudson, Esq.

PALMERSTON.

No. 73.—Mr. Hudson to Viscount Palmerston.—(Received Sept. 18.)

MY LORD,

Rio de Janeiro, July 27, 1850.

WITH reference to my despatch of the 9th of March, inclosing the copy of a note which, in obedience to your Lordship's instructions, I had addressed to the Brazilian Government, upon the subject

of visits made to Brazilian ships by Her Majesty's vessels of war at Bahia, I have now the honour to transmit herewith to your Lordship the reply which Senhor Paulino has thought proper to give to that note.

His Excellency states that those acts of Her Majesty's cruizers excite a national spirit in favour of Slave Trade, and give greater power to the slave-dealers.

With regard to the former assertion, I have the honour to inclose to your Lordship a selection which I have made from some of the newspapers published in Brazil against Slave Trade.

There are other Brazilian publications I know which have adopted, as part of their political creed, the same great principle, namely, the suppression of the Slave Trade; but as they have not yet reached me, and as I think that those which I have the honour to inclose will go far to disprove Senhor Paulino's assertion, I do not think it necessary to wait till I have made an entire collection, but forward the inclosed collection at once to your Lordship.

With regard to the other assertion of Senhor Paulino, that efforts for the suppression of Slave Trade on this coast give greater power to the slave-dealer, recent events have proved that it was the apathy of the Brazilian Government and the laxity of the Brazilian authorities which gave power to the pirates and adventurers, who have settled themselves in this capital and on points on this coast where, with impunity, they carried on their trade of buying and selling human flesh.

In my other despatches of this date, I have had the honour to detail the effect which the recent efforts of Her Majesty's squadron in the suppression of Slave Trade have produced upon the men-stealers.

I have, &c.

Viscount Palmerston, G.C.B.

JAMES HUDSON.

(Inclosure.)—Senhor Paulino de Souza to Mr. Hudson.

Department of Foreign Affairs,

(Translation.)

Rio de Janeiro, June 14, 1850.

THE Undersigned, &c., duly received the note which, on the 9th of March of this year, Mr. Hudson, &c., addressed to him, respecting the note of the 3rd of last September, which treats of acts practised by ships of war of Her Majesty against Brazilian vessels, not only near the coast, but also at the entrance and within the bar of the capital of the province of Bahia, declaring that his Government regretted that the proceedings of the British cruizers on the coast of Brazil furnished ground of complaint on the part of the Imperial Government; but that those proceedings could not cease until it adopted the necessary measures to fulfil the stipulations of the Treaty for the total suppression of the African Slave Trade in

Brazil; Mr. Hudson then shows that his Government did not intend, when it gave instructions to its cruizers to employ the means necessary to put down that traffic, to attack the honour and dignity of the Brazilian Crown.

In reply to the above note of Mr. Hudson, the Undersigned has the honour to state to him, that the Imperial Government on its part, also much regrets that the Government of Her Britannic Majesty is of opinion that such proceedings are the best suited to suppress the Slave Trade; when, on the contrary, they excite a national spirit and give greater power to the slave-dealers, and the more so, because the Imperial Government, not being able to admit that foreign ships should practise such acts within the ports of the empire, has to fulfil its duty, opposing itself upon every occasion that it can do so, let the consequences be what they may, which it is right to point out, to the well-being of the relations of the 2 countries.

The Undersigned, &c.

J. Hudson, Esq.

PAULINO J. S. DE SOUZA.

No. 75.—Mr. Hudson to Viscount Palmerston.—(Received Sept. 18.)
 MY LORD, *Rio de Janeiro, July 27, 1850.*

I HAVE the honour to transmit herewith to your Lordship the copies of letters which have passed between the Commander-in-chief of Her Majesty's naval forces on this station, the Brazilian Minister of Foreign Affairs, and myself, upon the subject of a most treacherous attack and cold-blooded assassination of a seaman of Her Majesty's vessel *Rifleman*, Commander Crofton, by a gang of those cut-throats the slave-dealers, who are a pest to this country and a disgrace to this century.

Your Lordship will perceive, from the inclosed papers, that the crew of one of the boats of Her Majesty's ship *Rifleman*, having been forced by stress of weather to take shelter on a promontory near Moela, in the province of St. Paul's, were surprised, when engaged in the very harmless occupation of drying their clothes, by a large body of slave-dealers, who, without parley, fired into them, killing one, and perforating the clothes of other seamen with shot.

This dastardly and disgraceful attack happened precisely on that part of the coast of St. Paul's to which I had called the attention of the Brazilian Government so long ago as February last, as being in the hands of the slave-dealers, who there established themselves in force, setting at defiance the laws and the authorities of this country.

The chief leader of this gang of assassins is named Valencio Augusto Teixeira Leomil, a Portuguese by birth, in the employment of Antonio Ferreira da Silva, proprietor of the slave-dealing establishment at Perrequé, and being well known, I described his person and his name to Senhor Paulino, the Brazilian Minister for

Foreign Affairs; but the police of Santos, who, like most other Brazilian authorities, begin to find out that they can shake off the yoke of the slave-dealers, had already got upon the assassin's track, and had arrested him, although he offered 400 milreis (50*l.*) as a bribe to the officers of justice to let him escape.

Her Majesty's steamer *Rifleman* having been despatched with the mail to the River Plate, I have requested of the Brazilian Government that the assassin Valencio may be remanded, until those of her crew who were present at the affair may have an opportunity of identifying him. I have, &c.

Viscount Palmerston, G.C.B.

JAMES HUDSON.

(Inclosure.)—*Senhor Paulino de Souza to Mr. Hudson.*

Department of Foreign Affairs,

(Translation.)

Rio de Janeiro, June 26, 1850.

I ACKNOWLEDGE the receipt of the note which on the 16th instant Mr. Hudson, &c., addressed to me, transmitting the copy of an official letter from the Commander of the steamer *Rifleman*, reporting to the Rear-Admiral commanding-in-chief the naval forces of Her Majesty on this station, that the crew of one of the boats of that steamer having been forced by stress of weather to land about 6 miles to the eastward of Moela, in the province of St. Paul's, were surprised by a large number of persons armed, who fired upon them and killed 1 of the seamen, and continued to fire upon them during the time that the seamen were retiring to their boat.

In reply to this note, I have the honour to acquaint Mr. Hudson that the deputy district judge of the 6th district of the province of St. Paul's having communicated on the 23rd of May last past to the Imperial Government, the above occurrence, orders were immediately transmitted to him as well as to the President of the same province, copies of which orders are annexed, marked Nos. 1 and 2.

The same President having made a like communication on the 29th of May, the recommendations already made were again repeated on the 4th of this month.

I now transmit to Mr. Hudson the inclosed copy, which I have received from the President of St. Paul's, and from which it will be seen that the chief of police of that province had proceeded to Santos in order personally to take cognizance of this affair, the result of which I will communicate to Mr. Hudson in due time.

I avail, &c.

J. Hudson, Esq.

PAULINO J. S. DE SOUZA.

No. 85.—*Mr. Hudson to Viscount Palmerston.*—(Received Sept. 18.)
(Extract.)

Rio de Janeiro, July 27, 1850.

On the 13th May, 2 Senators, Senhor Hollanda Cavalcanti and

Senhor Candido Baptista d'Oliveira, each presented to the Brazilian Senate a project respecting Slave Trade.

The project of Senhor Hollanda Cavalcanti is simply to legalize Slave Trade ; it will therefore require no comment from myself.

The project of Senhor Candido Baptista aimed at an alteration of the Brazilian law against Slave Trade, of the 7th November, 1831. A law which is part and parcel of the Treaty of 1826, between Great Britain and Brazil for the suppression of Slave Trade. It is to be presumed that a Brazilian legislator in the position of Senhor Candido Baptista, is aware of that fact, and I am consequently unable to account to your Lordship for so extraordinary a step on the part of a Senator who enjoys so high a reputation in Brazil.

The 2 projects, such as they are, were referred to a Committee chosen by the Senate, who drew up a report upon them, from which your Lordship will perceive that the Committee express an opinion that repressive measures against Slave Trade have failed. It is to be presumed that the Committee allude to the efforts of Her Majesty's Government to suppress Slave Trade on the coast of Africa ; because, although Brazil is as much bound as is Great Britain to repress Slave Trade, she has calmly looked on, permitting those hives of slave-dealers and other miscreants to swarm upon her shores, trampling her own law under foot, and setting right as well as decency at defiance.

This report of the Committee of the Senate is dated the 1st instant. Recent events which have occurred since that report was published, prove beyond dispute, that if the Brazilian Government of the day determined to put down Slave Trade, that traffic would cease to exist as soon as the determination to repress it became known.

If, therefore, I differ in opinion with the Senators who have signed that report, it is because I am convinced that Slave Trade must cease when Brazilian authorities enforce Brazilian law against establishments such as those at Perrequé, Sombrio, and Cotinga, where, protected by batteries, and encouraged by magistrates, we have seen depôts of African slaves established, and ships openly fitted for Slave Trade, go to and return from Africa with their illicit cargoes.

The measures of repression of which the Committee of the Senate speak, are as binding upon Brazil as upon Great Britain ; and if these Senators had instituted an inquiry as to how far Brazil has fulfilled her share of the contract, I imagine that their candour would have forced them to a very different avowal.

The Committee of the Senate do not discountenance the idea of legalizing Slave Trade, which idea forms the basis of the Senator Hollanda Cavalcanti's project ; on the contrary, they do not only approve

the idea, but they proceed *per saltum* to advise the Senate to suspend so much of the existing legislation of Brazil as might prevent the Imperial Cabinet from treating upon that basis with Great Britain.

Two Senators, Senhores Hollanda Cavalcanti and Paulo Souza, refused to concur in the advice of their Committee, and gave separate votes, accompanied by reasons for their conduct.

The Senator Paulo Souza presented 2 projects to the Senate.

The first, to limit the operation of the Law of November 7, 1831, to 1 year; that is to say, all Africans imported into Brazil since 1831, shall have 1 year allowed them to establish their right and title to freedom under that law.

The second project is simply an echo of the resolution of the Senate.

The Senator Costa Fereira approached the true merits of the general question of the suppression of Slave Trade, nearer than many of his honourable colleagues.

I have the honour to inclose the translation of a speech which he delivered in the Senate in reply to the Senators Paulo Souza, Cavalcanti and d'Oliveira.

It is unnecessary that I should trouble your Lordship with an analysis of these debates, votes, and resolutions, which occurred in the Senate at the commencement of the present month.

Events which subsequently occurred prove, I think, that the Brazilian Senate were following with a timid and a halting step the present spirit of their country; they were in the rear, not the van, of public opinion; a fortnight had scarcely elapsed from the presentation of the resolution of the Senate, when the Chamber of Deputies by a bold stroke placed themselves at the head of that movement against Slave Trade, which I have the honour to detail to your Lordship in a subsequent despatch of this date and series.

It appears never to have occurred to the Brazilian Senate, that a small gang or knot of men-stealers, who have established themselves in this capital and in Bahia are the persons who have brought upon Brazil her present difficulties.

Viscount Palmerston, G.C.B.

JAMES HUDSON.

No. 86.—*Mr. Hudson to Viscount Palmerston.*—(Received Sept. 18.)
 MY LORD, *Rio de Janeiro, July 27, 1850.*

IN my preceding despatch, reporting to your Lordship the proceedings of the Brazilian Senate with reference to the general question of Slave Trade, I took occasion to remark that the Brazilian Chamber of Deputies had by a bold measure placed themselves at the head of that general feeling of the Brazilian people against the trade in Africans, to which I have at various periods during the last two years had the honour to call your Lordship's attention.

The causes which led to this action of the Brazilian Chamber of Deputies sprang immediately out of a motion made the Deputy Senhor Silveira da Motta on the 28th ultimo, to the effect that the Imperial Government should be called upon to give an account to the House respecting the seizure of slave-ships on the coast of this province and St. Paul's; and having moved that a day be fixed upon for an explanation on the part of the Minister for Foreign Affairs, the 15th instant was appointed by the President of the House.

Some surprise was manifested by the House, upon so distant a day being named, and the Deputy Senhor Antão, one of the leaders of the Opposition, took occasion to enter at some length into the general question of the Brazilian Slave Trade.

Senhor Pacheco replied, and Senhor Montezuma followed on the same side, declaring that, as a Minister of the Brazilian Crown, he had, when in office, used his best efforts to repress Slave Trade and had failed, and therefore he doubted if Slave Trade could ever be repressed. The logic of this gentleman proved equal to his foresight.

Senhor Tosta, the Imperial Minister of Marine, also spoke to the general question, and to the desire of the Government effectually to repress Slave Trade.

On the 1st instant the debate was continued. Senhor Bernardo de Souza Franco, the leader of the Opposition, who, (your Lordship will remember this gentleman as Minister of Foreign Affairs in 1848) endeavoured to show that the importation of slaves from Africa had increased since his party left office, and he called upon the Government to carry out the spirit of the Convention of 1826 between Great Britain and Brazil for the suppression of Slave Trade.

On the 2nd July there was a further debate on the same subject, in which Senhor Pereira da Silva took part. This gentleman is a warm and eager supporter of Slave Trade interests. It is a matter of deep regret to see talents of a high order and oratory of great vigour employed in so vile a cause. I am informed that this speaker failed to interest the House on the side he has espoused.

Senhor Mello followed; but the point advanced by these gentlemen turned rather upon what they are pleased to consider as insults to the Brazilian flag, namely, the efforts of Her Majesty's squadron on this coast to suppress Slave Trade, than upon the public duties of Brazil, which have been neglected, and the contempt evinced by the kidnappers for Brazilian municipal law.

On the 6th instant Her Majesty's ship *Cormorant* returned to Rio de Janeiro from her visit to the waters of Paranaguá and Macahé, where she had seized the notorious slave-ships mentioned in my other despatches of this date.

On Monday the 8th instant it was fully expected that the Minister for Foreign Affairs would have appeared in the Chamber of Deputies to have given an account of the affair of Paranaguá; but his Excellency did not appear, and the House adjourned at an early hour.

On Friday the 12th instant, the House, on the motion of the Minister of Justice, debated in secret session the Project of Law No. 133 of 1837, against the XIIth Article of which I protested on the 4th and 11th of September, 1848, as reported to your Lordship in my Slave Trade despatch of 12th September, 1848. It will be in your Lordship's recollection that the XIIth Article in question repeals the Brazilian Law against Slave Trade of 7th November, 1831. The result of this secret debate was, that the XIIth Article was struck out by 90 votes to 6.

On Monday the 16th instant, Senhor Paulino José Soares de Souza appeared in his place in the Chamber of Deputies, to reply to the motion made by Senhor Silveira de Motta, on the 28th ultimo, respecting seizures of slave-vessels on the coast and in the waters of Brazil, by Her Majesty's squadron.

Senhor Paulino did much more than reply to the motion of Senhor Silveira. The speech made by his Excellency will form an epoch in the history of Brazil. It is a most creditable performance. It details with great precision and clearness the actual state of Slave Trade, the efforts made by Christendom to crush it, the engagements which Brazil contracted with Great Britain for its suppression, a history of the projects and counter-projects against Slave Trade mutually started by Great Britain and Brazil, their discussion and subsequent abandonment, a general outline of the negotiations for the suppression of Slave Trade, as commenced by the British negotiators in 1815 at the Congress of Vienna, and as carried on by Great Britain until the present day; pointing out the isolated position of Brazil, that she alone had stood still in the great work, while all around her had advanced; and, in a brilliant peroration, demanded to know the opinion of the House as to its confidence in the Imperial Administration, and declared, on the part of himself and his colleagues, the firm intention of the Imperial Cabinet, if it obtained the consent of the House, firmly, frankly, and sincerely to fulfil the obligations which Brazil contracted by the Treaty with Great Britain, for the suppression of Slave Trade, on the 23rd November, 1826.

It is with the sincerest pleasure that I transmit a copy of this speech of Senhor Paulino to your Lordship. I believe it to be the first time that the Brazilian nation has been informed correctly and publicly of its position and of its engagements. The proof that the heart of the Brazilian people and of their Representatives is sound,

is to be found in the fact that the Chamber of Deputies received the speech of Senhor Paulino with the gravest, the deepest attention. At its conclusion there was not a dissentient voice to any of the propositions it contained. It was received with unanimous marks of cordial approbation, and the warmest congratulations greeted the Minister whose courage had enabled him to achieve a great victory over that worst enemy of Brazil—the slave-dealer.

On Tuesday, 16th instant, the Chamber of Deputies again met in secret session, and the project of law above mentioned was again debated.

On the following day the debate was again continued in secret session, and the result of the deliberations of the House was, that the Ist, IInd, and XIIth Articles of the Project of Law were struck out, as militating against the spirit of the Law of 7th November, 1831, which law is therefore preserved and retained in the legislation of Brazil.

Some other amendments were also made in the project, and it will, as it now stands, be sent up to the Senate in a few days, and will, I trust, soon form a part of the laws of Brazil against Slave Trade.

I have the honour to inclose herewith to your Lordship a copy and translation of this project of law as passed by the Chamber of Deputies.

I have, &c.

Viscount Palmerston, G.C.B.

JAMES HUDSON.

No. 87.—Mr. Hudson to Viscount Palmerston.—(Received Sept. 18.)

MY LORD,

Rio de Janeiro, July 27, 1850.

WITH reference to my despatch of this date, reporting to your Lordship the proceedings in the Chamber of Deputies with regard to Slave Trade, and transmitting to your Lordship a copy of a project of law for the better repression of Slave Trade, as it passed that House after its third reading; I have now the honour to report to your Lordship that, as the instructions which I have had the honour to receive from your Lordship are very precise respecting the preservation in the legislation of Brazil of the spirit of the Brazilian Law of the 7th November, 1831, which law is part and parcel of the Convention of 23rd November, 1826, between Great Britain and Brazil for the suppression of Slave Trade, and as the project of law in question implied rather than expressed that the Law of 7th November, 1831, was retained and preserved in it, I thought it my duty to put the question to Senhor Paulino José Soares de Souza, Brazilian Minister for Foreign Affairs, who has replied to my inquiry in the most open, direct, and satisfactory manner, that the project of law of which I speak not only preserves the spirit and intent of the Law of the 7th of November, 1831, but

absolutely strengthens those of its provisions which were weak and inefficient for repressing Slave Trade.

I have the honour to inclose herewith copies of the correspondence which passed between his Excellency and myself on this subject.

I shall have the honour duly to report to your Lordship the progress of this project of law through the Senate.

I have, &c.

Viscount Palmerston, G.C.B.

JAMES HUDSON.

No. 93.—Mr. Hudson to Viscount Palmerston.—(Received Oct. 7.)

MY LORD,

Rio de Janeiro, August 3, 1850.

HAVING had occasion to converse with Baron Picolet d'Hermillon, Minister of His Sardinian Majesty at this Court, upon the general aspect of Slave Trade, as carried on between Africa and this country, Baron Picolet said he had made it his particular study to prevent the flag of Sardinia from being used to cover Slave Trade, and that he had issued very stringent instructions to all the Consulates of Sardinia within the limits of his Mission, to demand the deposit in specie of a sum equal to the value of the vessel in voyages to places whence Slave Trade is carried on.

He has added to these instructions others not less stringent with regard to the direct trade between port and port, and to the sale also of Sardinian ships in cases where the buyers are suspected of being engaged in the unlawful traffic in slaves.

I have great pleasure in reporting to your Lordship these measures of Baron Picolet d'Hermillon, because I am convinced that his zeal and determination in preventing the flag of Sardinia from being fraudulently employed to cover Slave Trade, will greatly contribute towards the suppression of that traffic.

I have, &c.

Viscount Palmerston, G.C.B.

JAMES HUDSON.

No. 94.—Viscount Palmerston to Mr. Hudson.

SIR,

Foreign Office, October 15, 1850.

I HAVE received and laid before the Queen your despatches of the 27th of July last, reporting the seizure of 5 slave-vessels by Her Majesty's steam-vessel *Cormorant*, and the attack made by the fort of Paranaguá on that vessel, by which one seaman of Her Majesty's ship was killed and two wounded; and inclosing a copy of a note dated the 12th of July, which you addressed to Senhor Paulino on the subject of this outrage on the British flag.

I have now to instruct you to present a further note to Senhor Paulino, stating the extreme displeasure and astonishment felt by Her Majesty's Government at learning the perpetration of this

piratical and murderous attack upon one of Her Majesty's ships by persons in possession of a fort belonging to the Emperor of Brazil.

You will state that Her Majesty's Government sincerely hope that the result of that searching inquiry, which the Brazilian Government will no doubt have thought it their imperative duty immediately to institute, will prove that no persons holding a commission under or receiving pay from the Emperor were concerned in committing this scandalous outrage, but that it was the act of a band of pirates, who, having overpowered the military garrison, had taken possession of the fort for their iniquitous purpose.

Her Majesty's Government cannot entertain a doubt that the Brazilian Government will deem it essential for the honour of the Brazilian army, to inquire whether the garrison of the fort made a proper resistance to the lawless violence of these pirates; or whether the fort was surrendered to these marauders through the want of courage, or through the criminal connivance of those officers and men to whom the Imperial Government had entrusted the safe-keeping of it. But this is an investigation which concerns only the honour and reputation of the Brazilian military service, and with which, therefore, the Brazilian Government alone is entitled to deal. But the fact that, by some means or other, a band of pirates succeeded in obtaining possession of a Brazilian fort, and turned the guns of that fort on a British ship of war, is a matter which Her Majesty's Government cannot allow to pass without demanding the most ample redress.

That redress must consist in a formal communication from the Brazilian Government, expressing its deep regret that such an outrage should have been committed, and by the punishment of the pirates who have been guilty of murdering one of Her Majesty's subjects and of wounding 2 others.

Her Majesty's Government trust that the Brazilian Government will long since have taken the most active steps for bringing to adequate punishment all the parties who were concerned in this nefarious and disgraceful transaction; but if the necessary proceedings for this purpose shall not have been brought to a successful and complete issue on the receipt of this note, you will demand that no further delay shall take place therein.

You will transmit a copy of this despatch to the Brazilian Minister for Foreign Affairs, at the same time that you send in your note to him upon this subject.

I am, &c.

J. Hudson, Esq.

PALMERSTON.

No. 95.—Viscount Palmerston to Mr. Hudson.

SIR,

Foreign Office, October 15, 1850.

I HAVE received your despatch of the 27th of July and its

inclosures, on the subject of the insults offered to and assaults committed upon subjects of Her Majesty in the streets of Rio de Janeiro, by the slave-traders of that city; and reporting that the house of Mr. Wood had been broken open by a mob, and that some invalid British sailors who were lodging there had been severely maltreated; and further, that another lodging-house in the Rua Don Manoel had been entered by the mob, and several Englishmen found there grossly ill-used.

I approve of the steps which you took with respect to these outrages, as reported by you; and I have now further to instruct you to direct steps to be taken for prosecuting the persons who assaulted the English sailors in the lodging-houses in question.

I am, &c.

J. Hudson, Esq.

PALMERSTON.

No. 97.—Viscount Palmerston to Mr. Hudson.

SIR, *Foreign Office, October 15, 1850.*

I HAVE received and laid before the Queen your despatch of the 27th of July last, on the subject of the steps adopted by the Brazilian Government in consequence of the recent proceedings taken by Her Majesty's cruisers on the coast of Brazil against Slave Trade, and reporting the circumstances under which you had recommended Admiral Reynolds to suspend a portion of the General Order which he had issued with respect to the seizure of slave-vessels within Brazilian waters and ports.

In reply, I have to state to you, that I cannot doubt that you, who are on the spot, and who arrived at your opinion by personal observation, have formed a correct judgment as to the sincerity of the declarations made by the Brazilian Government, that it is their intention really to put down the Slave Trade; and you were, therefore, probably right in asking Admiral Reynolds to modify for a time the course of his proceedings against Slave Trade on the coast of Brazil.

But I must confess that nothing which has passed conveys to my mind any other impression than that the Brazilian Government felt that Brazil is powerless to resist the pressure of Great Britain; that they saw clearly that this pressure must, if continued, fully accomplish its purpose of putting down Slave Trade, and that they were endeavouring, by every device they could think of, to obtain the greatest amount of diminution of that pressure, with the smallest amount of real concession on the part of Brazil. Senhor Paulino has been profuse in declarations and promises, but such things have never been wanting on the part of any Brazilian Minister; he has proposed, and the Brazilian Government has probably passed a law, which, in its last modified shape, is certainly a useful addition to the Law of

1831. But the example of the Law of 1831 is sufficient to show that, in Brazil, the existence of a law is one thing, and its practical enforcement another and a very different one. Therefore, until Her Majesty's Government shall see that the 2 laws, the one that of 1831 and the other that which has recently been passed, are actively and effectually, and without favour or partiality, carried into execution, Her Majesty's Government cannot sanction the further continuance of any modification or suspension of any part of the orders under which Admiral Reynolds is acting.

Moreover, the reasons given by Senhor Paulino for asking for a modification and suspension of those orders, do not appear to be sufficient or satisfactory. It is certainly true, as he says, that the capturing of slavers within the Brazilian waters by foreign cruizers is derogatory to the dignity of Brazil, but that which has already happened shows that this proceeding, instead of forming, as he represents it, an obstacle to concession on the part of the Brazilian Government and Parliament, has been, in fact, the means by which now at last, for the first time after nearly 20 years of ineffectual endeavours at persuasion, the Government and Parliament of Brazil have been brought to take any steps against Slave Trade; and the early success which so far has attended the employment of these means, can certainly afford no reason for prematurely abandoning them. With regard to the danger of collision which Senhor Paulino apprehends, if slavers should be captured under the guns of a Brazilian fort, there would be an obvious and a most proper and effectual mode of avoiding such collision; and that would be, that the Brazilian Government should give the most imperative orders to all officers in command of forts, not upon any account whatever to fire upon a British ship of war employed in capturing slavers; and such orders you will request the Brazilian Government to give. There can be no justification for such firing upon a British ship of war, inasmuch as a British ship of war in capturing a slaver under the guns of a Brazilian fort, is only doing that which by Treaty and by law the commander of the fort ought himself to have done. The British naval officer should, however, in such a case, always communicate with the commanding officer of the fort in the first instance, in order to obtain, if possible, his co-operation.

The plain fact is, that nothing can be effected with the Brazilian Government on this matter, except by compulsion. Arguments and reason have long been used in vain. If a mere sense of duty and a regard for the engagements of Treaties could have swayed the conduct of the Brazilian Government, the Brazilian Slave Trade would many years ago have entirely ceased. But it is manifest that the slave-traders have been able to exert over the Brazilian Government, either by corruption or by intimidation, an influence which has

overridden all sense of right and wrong, and all regard for legal and international obligations.

That influence can be overcome only by some counteracting pressure, and it seems clear that the proceedings lately adopted by the Admiral in concert with yourself have produced precisely the sort of pressure which is calculated to counterbalance and overcome the influence of the slave-traders.

Her Majesty's Government are glad that Admiral Reynolds did not consent to suspend making captures in the waters of Brazil generally, because it is quite clear from what has happened, that it is in the waters and harbours of Brazil that captures of slavers can best and with the greatest certainty be made; and if we were to agree to abstain from making captures within the three-mile limit, the efficiency of our squadron would be most essentially impaired.

Her Majesty's Government await with much interest your next accounts, in order to see whether the professions of Senhor Paulino have been followed by any practical results; and it is to be hoped that unless some such results have taken place, that is to say, unless the Brazilian Government has itself seized all slavers that have been found in those places in which Admiral Reynolds had for a time consented not to make seizures, and unless the Brazilian Government has dealt according to law with the masters, mates, supercargoes, crews, and all other persons concerned in and connected with such slavers, it is to be hoped that, unless this has been done, you will already have notified to Senhor Paulino the discontinuance of the temporary suspension of the execution of a portion of the Admiral's orders.

With regard to a Slave Trade Treaty with Brazil, Her Majesty's Government would of course be willing to conclude one which should contain stipulations properly adapted to accomplish their professed object; but the experience of the past must not be lost sight of in framing those stipulations; and there are some conditions which experience has shown would be indispensable. For instance, the right of search and capture must extend to all places within, as well as without the three-mile limit, with only the proviso, that forts should be put upon the same footing as men-of-war; and that on the same principle on which, when a slaver is to be searched within sight of a man-of-war of the same nation, the commanding officer of such ship of war is to be invited to co-operate in the search; so also in the case of a slaver lying under the guns of a Brazilian fort the commander of the fort should be invited to co-operate in the search of the slaver; but his co-operation, if not afforded, should not be deemed necessary, and should be dispensed with.

Thus also, all negroes taken and brought into any port of Brazil, whether by British or Brazilian cruizers, should be given up to the

British Government, to be taken either to some British possession, either in Africa or in the West Indies; because it is quite certain that if such negroes were to remain in Brazil, however nominally protected they might be by law, they would in practice become slaves. Thus also it is clear that there ought to be no licence given for the removal of slaves from place to place in Brazil coastwise, because the knowledge which we have acquired of the practices and arrangements of the slave-traders shows that such a licence would afford them great facilities for the prosecution of their trade.

I mention these points as specially deserving attention, but it will be desirable that you should send home for consideration any draft of a Slave Trade Treaty which may be discussed between yourself and Senhor Paulino, before you proceed to sign it.

I have had, within the last few days, an interview with M. de Amaral, the Brazilian Chargé d'Affaires, who came to request that Her Majesty's Government would suspend all naval operations against slavers on the coast of Brazil, on condition that the Brazilian Government should immediately enter into negotiation with Her Majesty's Government for a Slave Trade Treaty.

My reply to M. de Amaral was to the same effect as that which I have stated to you in this despatch; and I told him that I was very sorry that it was quite impossible for Her Majesty's Government to comply with his request. I said that the time is come when we must require from the Brazilian Government energetic and decisive acts, instead of mere professions and unexecuted laws; that I am firmly convinced that if the Government of Brazil chose to take proper measures for the purpose, the Brazilian Slave Trade would be put down in 6 months; that when, by such means, there were no slavers left to capture, our cruisers would leave off capturing, and that such a course is the only way to make our naval operations on the coast of Brazil cease.

I am, &c.

J. Hudson, Esq.

PALMERSTON.

No. 101.—*M. de Amaral to Viscount Palmerston.*—(Rec. October 31.)

Légation Impériale du Brésil, le 30 Octobre, 1850.

LE Soussigné, Chargé d'Affaires de Sa Majesté l'Empereur du Brésil, a l'honneur de s'adresser, par ordre de son Gouvernement, à son Excellence le Très Honorable Vicomte Palmerston, Principal Secrétaire d'Etat de Sa Majesté Britannique au Département des Affaires Etrangères, au sujet d'un navire Brésilien récemment capturé par un des croiseurs Anglais.

Il résulte d'informations officielles dont le Soussigné est en possession, que le bateau-à-vapeur de Sa Majesté Britannique *Sharpshooter* est entré, le 23 Juin dernier, à Macahé, et que, y ayant trouvé le brig *Polka*, il l'a fait visiter et capturer, en l'en-

voyant à Ste. Hélène pour y subir le jugement illégal du tribunal de la Vice-Amirauté.

La simple capture de ce navire est un des événements les plus graves pour les relations des 2 pays; c'est une atteinte à la fois portée à la propriété individuelle et au pavillon qui la protégeait. Mais elle prend un caractère encore plus grave quand on considère les circonstances qui l'ont accompagnée. C'est dans l'intérieur d'un port qu'on l'a effectuée; c'est un agent d'un Etat ami qui, avec un empressement singulier, s'est chargé, à son arrivée au Brésil, d'en attaquer la souveraineté d'une manière si fâcheuse; c'est enfin, emporté par un zèle indiscret, que cet agent a ajouté à tous ces torts, en capturant un navire exempt de tout crime.

Le brig *Polka* ne se destinait pas au commerce des esclaves. Le commandant du *Sharpshooter* en a eu les preuves sous les yeux. Les papiers du navire lui ont été montrés, et sa cargaison, dont une partie était déjà à bord, n'était pas de nature à exciter le moindre soupçon. Ce navire a été expressément bâti pour le commerce de cabotage entre Rio de Janeiro et Macahé, s'y est constamment employé, et s'y destinait encore le jour de la capture.

Le Soussigné aime à se persuader que le Gouvernement de Sa Majesté Britannique, en préférant au résultat incomplet de ces procédés, les avantages de l'emploi de moyens légaux et de cet heureux accord qui naît du respect mutuel de droits incontestables, n'approuvera pas la conduite contre laquelle le Soussigné a l'ordre de réclamer, et en empêchera la répétition, en aidant, par ce moyen, les efforts du Gouvernement Impérial et des Chambres Législatives, dont les preuves les moins équivoques viennent d'être données à Rio de Janeiro.

Animé de cet espoir, le Soussigné se limite à ce qu'il vient d'exposer à Lord Palmerston, et attend de son Excellence la réponse qui doit garantir au propriétaire du brig *Polka*, la restitution de son navire, et l'indemnisation des pertes qui lui ont été causées.

Le Soussigné, &c.

S.E. le Vicomte Palmerston, G.C.B.

J. P. DE AMARAL.

No. 106.—*Mr. Hudson to Viscount Palmerston.*—(Rec. November 3.)
MY LORD, *Rio de Janeiro, September 2, 1850.*

I HAVE much satisfaction in transmitting to your Lordship the copies of 2 circular letters which have been addressed by the President of the province of St. Paul's to his subordinate officers, directing them to use their best efforts to aid in the repression of the Slave Trade, and sketching, in concise but most expressive language, the horrors of that traffic, and the evils which it has entailed upon his country.

If the acts of the officers of the Brazilian Government corresponded with language such as that which your Lordship will find in the inclosed circular letters, the Slave Trade would no longer be a disgrace to this country and this century. I have, &c.

Viscount Palmerston, G.C.B.

JAMES HUDSON.

(Inclosure.)—Circulars respecting the Slave Trade, addressed by the President of the Province of St. Paul's to his subordinate Authorities. (Translation.)

IN the "Revista Commercial" of Santos we read the following:—

July 5, 1850.

"The 2 despatches of his Excellency the President of the province, to which we alluded, and which were transmitted to us by one of our friends, completely prove the energy and earnest desire of the present Government to put an end to the illicit traffic in Africans, which has caused so much misfortune to Brazil; we do not hesitate in giving publicity to these documents. We are informed that all the authorities at Santos received the 2 following despatches:

Despatch No. 1.

"Palace of the Government of St. Paul's."

"The insolence and impudence of the traffickers in new Africans, who in the most public and scandalous manner exercise this trade, is the cause of, or serves as a pretext for, the violences which the English cruizers commit in the territorial waters of the empire, and even within our ports, upon national vessels. These slave-traders, despising the cry of humanity, are in no way shocked at contributing to men being dragged out of the land of their birth, in which they enjoyed the blessings of liberty, to endure the intolerable misery of captivity. They do not hesitate to expose the nation to the insults of the foreigner, to provoke hostilities, and, perhaps, even war. And who knows whether they do not desire war, for the purpose of some criminal speculation? It is necessary, however, for the honour and interest of the country, to put a stop at once to this immoral traffic, proscribed by laws and by Treaties; it is necessary to curb these half-dozen individuals, who, caring for nothing but their own gains, involve the nation in great difficulties, and cause its dignity to suffer.

"The President of the province trusts that Senhor —, faithful to the duties of the office which he fills, will take all possible means in his power to put a stop to the Traffic in Africans within his district; and he most expressly and most positively orders him to proceed with the utmost rigour of the law against all and every individual, whoever he may be, who is engaged in the said forbidden traffic; and he further orders him to exercise the greatest vigilance

over the vessels which are destined to bring over new Africans, and not to permit or tolerate, under any pretext whatsoever, that they fit out for this purpose within the said ports, furnishing themselves with the needful for the voyage.

“The President of the province equally orders him to proceed against those vessels which, after having disembarked new Africans on other parts of the coast, may enter the port under plea of wanting to refit, in consequence of damages received at sea.

“A faithful co-operation of the authorities is indispensable to the Government, who can effect nothing without their valuable assistance.

“The President of the province transmits in copy to Senhor —, the extract of a despatch which accompanied the official communication which was transmitted to him from the department of Foreign Affairs, relative to 2 vessels which are fitting for the African Slave Trade within the port of Santos, and recommends him to employ the greatest diligence and activity in this affair, in order to ascertain the actual state of the case, and to make a communication to this Government of all the information which he may be able to obtain.

“VICENTE PIRES DA MOTTA, *President.*”

“*Commander Crofton to Rear-Admiral Reynolds.*

(Extract.)

“Rifleman, *May 27, 1850.*

“I beg leave, Sir, to inform you that there are in Santos 2 brigs, both slavers, and both ready to put to sea upon the first favourable wind, and which I have been watching for some days outside the port; that they are destined for the coast of Africa; and as I am the only cruizer on this coast, and as there are daily expected at Perrequé other vessels, I shall remain here, and, if necessary, purchase coal at Santos, in order to be ready to capture them, all which I hope, Sir, will merit your approbation.

“S. S. L. CROFTON, *Lieutenant Commanding.*”

“*Rear-Admiral Reynolds.*”

Despatch No. 2.

“*Palace of Government of St. Paul's, July 15, 1850.*

“As it is to be apprehended that some imprudent and inconsiderate individuals, induced by the violences and insults which the English cruizers unceasingly practise upon national vessels within even the ports of the empire, may take upon themselves to commit violences and insults upon the subjects of that nation, the President of the province strongly recommends Senhor — to exercise the greatest vigilance, in order to prevent such acts from occurring in that city; so that, on the contrary, English subjects may meet, at

the hands of the authorities, with the most decided and efficacious protection, as is due from a civilized people towards foreigners.

"If, unfortunately, any outrage should be committed upon any subject of that nation, an outrage which can only be practised by persons of the vilest class; because people possessed of any education would not stoop to such indignities; the President of the province feels sure that Senhor — will lose no time in repressing these acts, and in proceeding against the delinquents with the utmost severity and rigour of the law.

"And as it is to be feared that the traffickers in new Africans, who have brought upon the country the complications and embarrassments now existing, may endeavour to excite against British subjects sentiments of hatred and vengeance, and occasion other unjustifiable acts of aggression, such as that which took place on the shore of the Island of Santo Amaro, the President of the province recommends Senhor — not to lose sight of these traffickers; to be always upon the look out, and observe their motions, so as to prevent any criminal attempts on their part.

"VICENTE PIRES DA MOTTA, *President.*"

No. 107.—*Mr. Hudson to Viscount Palmerston.*—(Received Nov. 3.)

MY LORD,

Rio de Janeiro, September 2, 1850.

As a proof of the progress of public opinion in Brazil respecting the necessity of repressing the African Slave Trade, and of the combination which exists amongst Brazilian gentlemen to effect that end, I have the honour to transmit herewith to your Lordship a copy of the statutes of a society which has recently been founded in this capital, for the abolition of the Slave Trade, and the promotion of the colonization and civilization of the aborigines of Brazil.

I have, &c.

Viscount Palmerston, G.C.B.

JAMES HUDSON.

(*Inclosure.*)—*Statutes of a Society founded at Rio de Janeiro for the Abolition of the Slave Trade, and the Promotion of the Colonization and Civilization of the Aborigines in Brazil.*

No. 109.—*Mr. Hudson to Viscount Palmerston.*—(Received Nov. 3.)

MY LORD,

Rio de Janeiro, September 2, 1850.

WITH reference to my despatch to your Lordship of the 27th of July, transmitting to your Lordship the copy of a report which had been addressed to me by Her Majesty's Consul for this province, upon insults said to have been offered to certain British subjects in Rio de Janeiro by slave-dealers, and reporting to your Lordship that I had addressed the Brazilian Minister for Foreign Affairs upon the

subject; I have now the honour to transmit herewith to your Lordship the copy and translation of a note and its inclosures which I have received from Senhor Paulino J. S. de Souza, in reply to my communication to his Excellency.

I have also the honour to inform your Lordship that I placed this note of Senhor Paulino and its inclosures in the hands of Her Majesty's Consul for this province. I have, &c.,

Viscount Palmerston, G.C.B.

JAMES HUDSON.

(*Inclosure 1.*)--*Senhor Paulino de Souza to Mr. Hudson.*

(Translation.) *Foreign Office, Rio de Janeiro, August 1, 1850.*

THE Undersigned, Member of His Majesty the Emperor's Council, Senator of the Empire, and Minister and Secretary of State for Foreign Affairs, has the honour to acknowledge the receipt of the communication addressed to him on the 9th of last month by Mr. James Hudson, Envoy Extraordinary and Minister Plenipotentiary of Her Britannic Majesty, transmitting to him an official letter from Her said Majesty's Consul, acquainting him with the outrages and acts which he says have been perpetrated against British subjects in this city, on the 6th, 7th, 8th, and 9th of the said month, and founding these informations on an exposition which he annexed, made by the Englishman William Wood, established in Misericordia Street, in a public-house, and upon facts which he had heard from persons whom he considered worthy of credit.

Upon these occurrences, from the manner in which they came to his knowledge, Mr. Hudson calls the attention of the Undersigned, and attributing them to persons of the lowest class, and to strangers, for the greater part notoriously involved in the traffic, he finally solicits the adoption of prompt and efficient measures, in order to prevent their repetition. The Undersigned, immediately after the receipt of Mr. Hudson's communication, addressed himself to the Minister of Justice, requesting him to cause such steps to be taken as he might consider suitable, in order to prevent any disagreeable occurrences that might be apprehended; asking him at the same time for information in regard to the contents of the representation made by Her Britannic Majesty's Consul.

Possessed of such information, the Undersigned hastens to transmit the same to Mr. Hudson in the copies herewith of the official note addressed to the said Minister on the 26th of July, now last past, by the Chief of the Police of this Court, and in the documents which accompanied it.

By this official note from the Chief of Police, and the information therein referred to, Mr. Hudson will see how precipitate Mr. Wood's representation was, in telling his Consul that his house was in the first place invaded, next violently attacked, and finally broken into by

various groups on the 7th of that month, and that his assertions are not worthy of belief, nor the ill-treatment which is said to have occurred upon these different occasions.

The authorities to whom it was Mr. Wood's duty to apply, as owner of the public-house where it is said those occurrences took place, had no knowledge of anything of the kind; nor did any one of those persons who it is alleged were injured, present themselves to the authorities for the purpose of complaining. The very person, Charles William Tack, invoked by Mr. Wood as a witness, destroys all that the latter has averred; his (the former's) declarations are confirmed by the report furnished by the Inspector of the 3rd Ward of the parish of St. Joseph, as also in regard to the breaking open of the door by that of the survey held upon the door of Mr. Wood's house; the same Mr. Wood contradicting himself in his examination, denies, at least on essential points, the facts alleged in his exposition to Her Britannic Majesty's Consul.

On a par with the preceding allegations, is the other fact which occurred in Don Manoel Street, against the English sailors, who were peaceably staying at a public-house. From the examinations and inquiries proceeded with, it was ascertained that no cudgellings or woundings, as is asserted, took place. Mr. Wood since says, in answer to interrogatories, that he did not believe they were committed, and that he had communicated them to the Consul because he had heard that such had been the case.

The Inspector of the 2nd Ward of the 1st district of St. Joseph rectifies and explains what happened at Pharoux's. Nobody was ill-treated there. The authority was promptly obeyed, and some persons armed with sticks who had assembled there were dispersed, as impartial and credible witnesses have asserted.

The account given by Mr. Wood of the murder of 2 Englishmen, and of their bodies having been cast into the water, is a pure invention of the person or persons from whom he had the intelligence; he himself refutes it in his examination. Meanwhile, this fact being in itself of so serious a nature, ought only to have been presented after being thoroughly investigated. The Undersigned will not examine with more minuteness that source of information on which the official note of Her Britannic Majesty's Consul is grounded, it being sufficient for him to draw Mr. Hudson's attention to the documents which are inclosed, and which will enable him to value the degree of credit they are entitled to.

As to the other facts mentioned by Her Britannic Majesty's Consul as having heard them from persons worthy of belief, one appears to have been, that of an English broker having been threatened near the Merchants' Exchange, by a person who looked like a disguised soldier, but that does not deserve the importance

attached to it, on reference to the declaration of Mr. George Hudson, the person insulted, to the sub-delegate of the parish of Candelaria.

Nor is any importance to be attached to what passed on the 6th of July, in regard to a sailor seated on the edge of Pharoux's Quay. The fact is true, but it was produced by a simple question of words, unconnected with the controversy of the day.

In short, the Undersigned, referring to the complaints to which his attention is called by Mr. Hudson, has to observe, that the acts of Her Britannic Majesty's cruizers in the seas and ports of this empire, were calculated to produce, as was natural, some excitement; and that this would increase if such acts had continued. It was not possible immediately to avoid some sort of disturbances arising out of that excitement. But the public authority took timely measures to prevent them, by dispersing such groups as began to make their appearance; and in the performance of that duty it did not meet with the slightest resistance; it being certain that if any one had subjected himself to the action of justice, prompt and severe proceedings would have been adopted in the performance of its duties, and for the preservation of public tranquillity.

The Undersigned, &c.

J. Hudson, Esq.

PAULINO JOSE SOARES DE SOUZA.

(*Inclosure 2.*)—*The Sub-delegate of Police to the Chief of Police.*
(Translation.) *Sub-Delegation of the Candelaria, July 21, 1850.*
MOST ILLUSTRIOUS AND EXCELLENT SIR,

IN compliance with your Excellency's orders, I proceeded to the minute investigation of the two facts related in the copies of notes transmitted to me, concerning this parish. I have ascertained that the English broker, who was said to have been insulted, is George Hudson, who has assured me that "a man, quite unknown to him, and whose dress appeared to be that of a private in the artillery corps, had abused him, but that he took no notice of the insult, although he was at the time close to the guard at the Amortization Office, he did not lodge any complaint." He further said that "the fact was witnessed by 2 other persons."

God preserve your Excellency.

DR. LUIS DA CUNHA FEIJO.

(*Inclosure 3.*)—*The Sub-Delegate of St. José to the Chief of Police.*
(Translation.) (Extract.) *Rio de Janeiro, July 19, 1850.*
MOST ILLUSTRIOUS AND MOST EXCELLENT SIR,

COMPLYING with the order contained in your Excellency's note of 11th instant, that I should report to you upon the facts referred to in the notes of Her Britannic Majesty's Minister, of the English

Consul, and in the representation made by William Wood, a subject of that nation, which accompanied your Excellency's official communication, in as far as I am concerned, and which treat of the following facts : First, of the insults offered to officers of the English corvette *Lily* ; secondly, of outrages committed against 2 sailors on the 6th ; and thirdly, of attacks on the house of William Wood, a dweller in Misericordia Street : I have to state, that the information furnished to Her Britannic Majesty's Consul was incorrect ; and that his worship complained of facts not thoroughly investigated, allowing himself to be guided by reports, which are generally exaggerated at the will of the person who lodges information.

In regard to the occurrences which took place on the 7th, at Pharoux's Quay, they are related with the greatest accuracy in the report of the Inspector of the 2nd Ward of this parish, and therein your Excellency will see, that far from the measures taken by the police authorities to repress disturbances being inefficacious, as the Consul says in his note, the contrary is most evidently proved ; that the authority was always respected, as were also English subjects, that it afforded them full protection, and that it was the subjects of Her Britannic Majesty who were the provokers, by issuing forth with drawn swords and by firing off pistols.

In regard to the outrages committed against 2 sailors on the 6th, I have no knowledge whatever, and am inclined to believe that there is as much exaggeration in this case as in those of the other facts complained of. I have only now to furnish explanations relative to the attack upon William Wood's house. On reference to the 2 accompanying documents, the act of investigation of the door of the house, said to have been forced open, and the act of the declarations made by William Tack, who was presented by Wood as a witness of the breaking open of his door, and of the sundry attacks suffered by his house, it is unnecessary to make further remarks on Wood's veracity. These documents will enable your Excellency to value the exactness of an occurrence, of which Mr. Wood alone had any knowledge (not even his own witness knew anything about it), and which is quite as fabulous as that of the existence of a group of between 200 and 300 persons, and of the 2 English sailors murdered, and thrown off the Red Steps (a place unknown in Rio de Janeiro) ; the drubbing of the sailors and other such inventions, entirely emanating from a raving imagination ; and your Excellency may also be assured that the arrest of 2 persons, who were found beating the English, and their being set at liberty by the police authority, who made light of the affair, as Wood alleges, is also equally false. I reported this occurrence to your Excellency on the 8th, and on that occasion I told you, that while presiding at the St. Januario Theatre, information was conveyed to

me at half-past 9 o'clock in the evening, that a group of persons were beating some strangers on Pharoux's Quay; that I immediately went there, but did not meet with any group on the spot; and that shortly after I left the place, 2 individuals, armed with bludgeons, were brought before me, who, after being disarmed, were set at liberty, as they had not been found creating any disturbance. I have only to add, that the only true part of the representation is relative to the stones thrown at the English officers, but they having been thrown from the midst of the multitude, and in the dark, it could not be ascertained who had thrown them, and for that reason no one was arrested.

No. 112.—Mr. Hudson to Viscount Palmerston.—(Rec. November 3.)
 MY LORD, *Rio de Janeiro, September 9, 1850.*

WITH reference to my despatch of the 27th of July, informing your Lordship that the Brazilian Chamber of Deputies had passed a law against Slave Trade, and transmitting to your Lordship a copy of that law, I have now the honour of reporting to your Lordship that that law was sent up to the Senate by the Chamber of Deputies; that the Senate debated it upon four occasions, and finally adopted it in the shape in which it was sent to them by the Chamber of Deputies.

I shall have the honour by the next packet to transmit to your Lordship a copy and translation of this law against Slave Trade.

I have, &c.

Viscount Palmerston, G.C.B.

JAMES HUDSON.

No. 113.—Mr. Hudson to Viscount Palmerston.—(Rec. November 3.)
 MY LORD, *Rio de Janeiro, September 9, 1850.*

WITH reference to my despatch to your Lordship of the 20th of February, in which I had the honour to offer some observations to your Lordship upon the measures which at that date the Brazilian Government proposed to adopt, with a view to the suppression of Slave Trade and to the supply of labour for this country, and in which despatch I ventured to express an opinion that the settlement of colonies of Europeans or other persons ought to precede, and not to follow, the suppression of the Slave Trade; I have now great satisfaction in reporting to your Lordship, that a Bill for the sale, management, and better administration of waste lands in Brazil, has passed the Brazilian Senate, and will become law at the close of the present session of the Brazilian Legislature.

When this measure is taken in connexion with the Bill for the more complete suppression of Slave Trade, which I have reported in my preceding despatch of this series to your Lordship as having become law, I feel certain that Her Majesty's Government will

congratulate the Imperial Cabinet upon the vigour and determination which they have displayed during the present session of the Brazilian Legislature, in attacking and, I trust, defeating that monster evil and gigantic nuisance, the African Slave Trade.

I shall have the honour, by the next packet, of transmitting to your Lordship a copy and translation of the Bill in question.

I have, &c.

Viscount Palmerston, G.C.B.

JAMES HUDSON.

No. 114.—Viscount Palmerston to Mr. Hudson.

SIR,

Foreign Office, November 8, 1850.

ONE of the main causes which have hitherto prevented the execution of that part of the law of Brazil, which declares that all negroes imported into Brazil shall be free, seems to have been the want of any established machinery by which that legal enactment can be practically applied, and hence it has happened that a great number of negroes who, by the law of Brazil, are entitled to their freedom, have been kept in bondage.

It appears to Her Majesty's Government that the best remedy for this abuse would be the establishment of a Mixed Commission at Rio de Janeiro, empowered to inquire into the cases of such negroes, and to decree the emancipation of such as might be found by law entitled to their freedom; I accordingly transmit to you herewith a draft of a Convention which I have prepared with this view, and I have to instruct you to take an early opportunity of proposing it to the Brazilian Government.

I inclose for your information a copy of a note which was addressed on the 6th ultimo, by Her Majesty's Minister at Madrid to the Spanish Minister for Foreign Affairs, in which, in pursuance of instructions from Her Majesty's Government, he proposed to Spain the adoption of a Convention similar to that which is herewith inclosed to you.

I am, &c.

J. Hudson, Esq.

PALMERSTON.

(Inclosure.)—Draft of Convention between Great Britain and Brazil.

No. 116.—Viscount Palmerston to M. de Amaral.

SIR,

Foreign Office, November 11, 1850.

THE Undersigned, &c., has the honour to acknowledge the receipt of the note addressed to him on the 30th ultimo, by M. de Amaral, &c., in which M. de Amaral complains, by order of his Government, of the capture of the Brazilian vessel *Polka*, on the 23rd of June last, in the harbour of Macahé, in Brazil, by Her Majesty's ship *Sharpshooter*.

The Undersigned has the honour, in reply, to state that the *Polka*, instead of being, as stated by M. de Amaral, a vessel evidently engaged in lawful commerce, was found upon examination to be manifestly equipped for Slave Trade, and she was in consequence thereof seized and sent to St. Helena for adjudication.

Her Majesty's Government, so far from censuring or disavowing the conduct of the naval officer who commanded the *Sharpshooter* on this occasion, have entirely approved it; and with reference to M. de Amaral's request, that instructions may be given to prevent the recurrence of similar proceedings, the Undersigned has to observe that it rests entirely with the Government of Brazil to prevent the repetition of such proceedings; because, if the Government of Brazil would faithfully fulfil its treaty obligations for the total suppression of Brazilian Slave Trade, and would effectually enforce obedience to the laws which have been passed in pursuance of those obligations, but which have hitherto remained a dead letter, the Brazilian Slave Trade would be totally at an end, and there would be no more slave-ships on the coasts and in the ports of Brazil for Her Majesty's cruisers to capture.

The Undersigned, &c.

M. de Amaral.

PALMERSTON.

No. 119.—*Mr. Hudson to Viscount Palmerston.*—(Rec. November 25.)

MY LORD,

Rio de Janeiro, October 10, 1850.

WITH reference to my despatch of the 2nd ultimo, reporting to your Lordship the founding of a society at Rio de Janeiro for the suppression of Slave Trade, the settlement of colonies, and the amelioration of the condition of the aborigines of this country, I have now the honour to report to your Lordship that the founders of this society applied to and received from the Brazilian Government a public approval of the statutes of that society.

I have the honour to inclose herewith to your Lordship a copy of the official approval by the Brazilian Secretary of State for the Home Department of the statutes of this society, and a copy also of the report of the proceedings of their first meeting.

I have also the honour to transmit to your Lordship the copy and translation of a speech (delivered some time ago and now again reprinted) delivered by the present Archbishop of Bahia with reference to the Brazilian Slave Trade.

I doubt whether in any assembly a more thorough chastisement was ever inflicted upon the slave-dealers and their associates, than is contained in the lucid, cogent, and truly Christian discourse of this illustrious and worthy prelate.

Those persons who contend that the Slave Trade if left to itself would cure itself, would do well to study the opinions of the Arch-

bishop on this head ; and those other persons who contend that it is impossible to repress the Slave Trade by any means whatever, would also do well to compare the condition of the aborigines of Brazil and the slavery which at one time was imposed upon them (as described in the comprehensive address of Dr. França Leite) with the condition of the Africans now imported into Brazil. The progress which has been made in Brazil would then convince them that what has been done for the Brazilian aborigines may also by degrees be done for the persecuted African.

I have, &c.

Viscount Palmerston, G.C.B.

JAMES HUDSON.

(Inclosure.)—*Approval, by Brazilian Minister of the Home Department, of the Statutes of the Society for the Suppression of the Slave Trade, &c.*

(Translation.)

Rio de Janeiro, August 31, 1850.

To Dr. Nicholas Rodrigues dos Santos França Leite, approving the statutes of the Society for the suppression of Slave Trade, and for the promotion of colonization and the civilization of the aborigines, returning a copy of the said statutes signed by the Under-Secretary of State for this Department.

No. 126.—Mr. Hudson to Viscount Palmerston.—(Rec. November 25.)

MY LORD,

Rio de Janeiro, October 10, 1850.

WITH reference to your Lordship's despatch of the 5th of August, instructing me to require of the Brazilian Government that they shall, without loss of time, take such steps as may be necessary for the purpose of bringing to justice the persons who attacked the crew of one of the boats of Her Majesty's ship *Rifleman* at Moela, in the Province of St. Paul's, in which attack a seaman of the *Rifleman* was shot dead ; and ordering me to make other observations and remarks to the Brazilian Government, respecting Slave Trade, and the facilities afforded to it in Brazil ; I have the honour to report, that having read your Lordship's despatch to Senhor Paulino, and having called his most serious attention to its contents, his Excellency replied, that the Imperial Government are convinced that the Government of the Queen will not fail to see in the legislative measure adopted by the Brazilian Parliament against Slave Trade, during their last session, a proof of their intention to repress Slave Trade ; that they are hastening to a conclusion the details in completion of that legislative enactment ; and that they desire to point to the recent captures by Brazilian vessels, of slavers at Macahé and St. Catharine's, and to the dismissal of those civil and military officers who aided or connived in landing the slaves who formed part of the cargo of the *Tres Amigos*, as a further proof of their desire to effect the complete suppression of the traffic.

With regard to the cowardly assassination at Moela of one of the crew of Her Majesty's ship *Rifleman*, Senhor Paulino said that the person (a Portuguese by birth) who is suspected of having led the party of assassins on that occasion, had been arrested, was in custody, and would be tried in December next, both for that murder, and for having been engaged in Slave Trade; and further, that should he be acquitted of the crimes laid to his charge, the Imperial Government, being convinced that he had been directly or indirectly engaged in Slave Trade, will order his immediate deportation.

I have, &c.

Viscount Palmerston, G.C.B.

JAMES HUDSON.

No. 128.—*Mr. Hudson to Viscount Palmerston.*—(Rec. November 25.)

MY LORD,

Rio de Janeiro, October 10, 1850.

WITH reference to my despatch of the 12th of May last, transmitting to your Lordship the copy of a note which, in obedience to your Lordship's instructions, I addressed to the Brazilian Minister for Foreign Affairs, calling the serious attention of the Imperial Government to the continued and vast importation of African negroes into the Brazilian territory, in violation of the Treaty engagements and in defiance of the laws of Brazil; to the omission of Brazil to fulfil the engagements of the Treaty of the 23rd of November, 1826, demanding that the Government of Brazil shall carry fully and faithfully into execution the engagements of that Treaty; and referring also to the condition of those Africans who, having been captured by British and Brazilian cruisers, were adjudicated by the Mixed Commission established at Rio de Janeiro, and were by that tribunal emancipated, but are, for the most part, practically held in bondage.

I have the honour to report to your Lordship, that Senhor Paulino informs me he hopes very soon to be able to reply in detail to that note; that the reason why an answer has not already been returned to it is, that the Imperial Government, during the past session of the Brazilian Legislature, were engaged in preparing and carrying that measure against Slave Trade, which I had the honour to report to your Lordship in my despatch of the 27th of July; that the details in completion of that measure are nearly perfected; and that upon their completion it is the intention of the Imperial Cabinet to reply to the demand of Her Majesty's Government.

Senhor Paulino added, with reference to the condition of the Africans emancipated by the Court of Mixed Commission at Rio de Janeiro, that the Imperial Government will find no difficulty in giving complete and entire liberty to such of them as have served their time as apprentices. And his Excellency proposed to hand such of them over to Her Majesty's Legation at this Court, as

desired to proceed to a British settlement, and the others, who desired to return to Africa should be sent by the Imperial Government to Liberia in case Her Majesty's Government coincided in opinion with the Imperial Cabinet. I have, &c.

Viscount Palmerston, G.C.B.

JAMES HUDSON.

No. 129.—Viscount Palmerston to Mr. Hudson.

SIR,

Foreign Office, November 30, 1850.

I HEREWITH transmit to you for your information a copy of a letter and of its inclosures which have been received at this department from the Admiralty, on the subject of an order which was issued in the month of August last, by the President of Bahia to the commanding officer of the Brazilian military forces in that province, authorizing and enjoining the use of force by the forts and batteries within the limits of his command, in order to prevent vessels, whether Brazilian or foreign, from being seized within the territorial waters of Brazil by foreign ships.

I also transmit to you a copy of the reply which by my direction has been addressed to the Admiralty upon this subject.

I am, &c.

J. Hudson, Esq.

PALMERSTON.

(Inclosure.)—Lord Stanley of Alderley to the Secretary to the Admiralty.

SIR,

Foreign Office, November 26, 1850.

I LAID before Viscount Palmerston Mr. Pro-Secretary Hay's letter of the 3rd instant, and its inclosures, on the subject of the order issued by command of the Emperor of Brazil, by the President of Bahia to the commanding officer of the Brazilian military forces in that province, authorising and enjoining the use of force by the forts and batteries within the limits of his command, in order to prevent vessels, whether Brazilian or foreign, from being seized within the territorial waters of Brazil by foreign ships.

I am in reply directed by Viscount Palmerston to request that you will state to the Lords Commissioners of the Admiralty, that it is to be hoped that a better understanding will be come to with the Brazilian Government on the questions connected with Slave Trade than that which existed when this order was issued, but at all events it would be desirable that the naval officers employed on the coast of Brazil should avoid unnecessary conflict with forts and batteries; and perhaps the best course which with this view they could pursue, in regard to slavers or suspected slavers found at anchor under the guns of a Brazilian battery or fort, would be to apply to the commanding officer of such fort or battery, to

search the vessel and to seize her, if found fitted for Slave Trade; and if such application should not be efficiently and in good faith complied with, the facts should be represented to the Brazilian Government through Her Majesty's Minister at Rio. This course of proceeding would not prevent our cruisers from searching and seizing slavers anywhere not actually under the guns of a fortress or battery, nor from watching any vessels which may be lying within range of such guns, if the commanding officer of the fort should decline or omit to take proper steps in regard to them.

It would be desirable that a British officer should be present at any such search of a suspected slaver lying under the guns of a Brazilian fort or battery: and if an application to that effect should be declined by the Brazilian officer in command, the refusal on his part should be represented to the Brazilian Government through Her Majesty's Minister at Rio.

I am, &c.

The Secretary to the Admiralty.

STANLEY OF ALDERLEY.

No. 134.—Viscount Palmerston to Mr. Hudson.

SIR,

Foreign Office, December 4, 1850.

WITH reference to your despatch of the 10th ultimo, reporting the assurances which you have received from the Brazilian Minister for Foreign Affairs respecting the determination of the Imperial Government to repress the Brazilian Slave Trade, I have to state to you that these assurances are as satisfactory as mere assurances can be; and Her Majesty's Government hope that they will be followed by corresponding measures.

With respect, however, to what Senhor Paulino says as to the intention of the Brazilian Government to send out of the country, if he should be acquitted, the Portuguese who is accused of having led on the party who murdered the sailor of the *Rifleman*, you should ask Senhor Paulino why the Brazilian Government do not exercise the same power of expulsion (which it is believed they by law possess) in regard to those Portuguese capitalists living at Rio, who are notoriously the instigators and employers of all the persons of inferior note who are engaged in the Brazilian Slave Trade? A measure of that kind would be a blow struck at once at the root of the evil, and would be still more effectual in putting a stop to the Slave Trade than the capture of a few slave-ships after they have been allowed to land their cargoes, or the dismissal and prosecution of a few subordinate offenders, however useful and praiseworthy these last-mentioned measures may be, as the beginning of a new system.

I am, &c.

J. Hudson, Esq.

PALMERSTON.

No. 136.—*Viscount Palmerston to Mr. Hudson.*

SIR,

Foreign Office, December 4, 1850.

I HAVE to state to you, that the propositions of the Brazilian Government for the disposal of the emancipados mentioned in your despatch of the 10th October, may be agreed to ; namely, that such of them as desire to proceed to a British settlement should be made over to Her Majesty's Legation at Rio ; and that the others who desire to return to Africa should be sent by the Brazilian Government to Liberia.

I am, &c.

J. Hudson, Esq.

PALMERSTON.

No. 138.—*Viscount Palmerston to Mr. Hudson.*

SIR,

Foreign Office, December 27, 1850.

I HAVE to acquaint you that at the time of the expiration of the functions of the Mixed Commissions, established under the Convention of the 23rd of November, 1826, between Great Britain and Brazil, for the suppression of the Slave Trade, a sum of money amounting to about 20,000*l.*, was in the hands of the Registrar of the High Court of Admiralty in this country, arising from the money due to Brazil of the proceeds of Brazilian slavers condemned by the Mixed Commission at Sierra Leone between the 31st of December, 1837, the time when the accounts on this head were last settled by the Government of Brazil, up to the date above referred to, namely, the 13th of September, 1845.

I have further to inform you, that while the Mixed Commission at Sierra Leone existed, the expenses which were incurred in that colony, whether in maintaining Brazilian seamen from condemned slave-vessels or in sending them away from the colony, were deducted, with the consent of the Brazilian Government, from the moiety of the proceeds of condemned vessels which was due to Brazil.

Expenses of a like kind have from time to time been incurred in maintaining and sending home to Brazil the masters and crews of Brazilian slave-ships captured and condemned under the provisions of the Act 7 and 8 Victoria, cap. 122 ; and as Her Majesty's Government could not consent to pay out of the revenues of the United Kingdom expenses thus incurred on account of Brazilian criminals, Her Majesty's Government have directed that those expenses shall be defrayed out of the remaining balance of the above-mentioned fund ; and, accordingly, a sum of 3,826*l.* 7*s.* 6*d.* has been paid therefrom, reducing the balance still due to the Brazilian Government to about the sum of 16,000*l.*

You will make the Brazilian Government acquainted with this fact ; and you will add, that Her Majesty's Government will, in due time furnish the Brazilian Government with a detailed account of

the items of the expenditure incurred on account of such Brazilian subjects; and that, in the meanwhile, Her Majesty's Government retain in hand the balance of the fund above-mentioned, in order to defray out of it expenses of this nature which are justly chargeable against the Government of Brazil.

I am, &c.

J. Hudson, Esq.

PALMERSTON.

No. 139.—Mr. Hudson to Viscount Palmerston.—(Rec. December 31.)

MY LORD,

Rio de Janeiro, November 11, 1850.

WITH reference to my despatch of the 12th of May, transmitting to your Lordship the copy of a note which, in obedience to your Lordship's instructions, I addressed to the Brazilian Government calling their serious attention to the continued and vast importation of African negroes into the Brazilian territory, in violation of the Treaty engagements and in defiance of the laws of Brazil, and bringing under their notice the condition of those negroes who were declared to be emancipated by the Mixed Commission which was established at Rio de Janeiro in pursuance of the IInd, IIIrd, and IVth Articles of the Treaty of 1826; I have now the honour to transmit herewith to your Lordship a copy and translation of the reply which Senhor Paulino, the Brazilian Minister for Foreign Affairs, has returned to this demand of Her Majesty's Government; from which reply your Lordship will perceive that Senhor Paulino recapitulates the measures for the repression of the Slave Trade which the Imperial Government presented to the Legislative Assembly of Brazil at its last session, which were accepted by that body, and have now become law; states that the Imperial Government are ready to conclude, upon certain conditions, a Convention with Her Majesty's Government in completion of the measures in question against Slave Trade, and declares the course which the Imperial Government are prepared to follow with reference to the Africans emancipated by the Court of Mixed Commission established during the existence of the late Treaty at Rio de Janeiro.

I have, &c.

Viscount Palmerston, G.C.B.

JAMES HUDSON.

(Inclosure.)—Senhor Paulino de Souza to Mr. Hudson.

(Translation.)

Foreign Office, Rio de Janeiro, October 24, 1850.

THE Undersigned, &c., received the note which, under date of 16th April last, Mr. Hudson, &c., addressed to him, wherein, by order of his Government, he calls the serious attention of the Imperial Government to the continued importation of African negroes into the territory of Brazil; and states different motives of complaint which the Government of Her Britannic Majesty

has, in this regard, founded upon the Convention of the 23rd November, 1826.

The Undersigned has delayed replying to Mr. Hudson's note, because the Imperial Government, long previous to its receipt, having firmly resolved to adopt, and to cause the performance of a practical system of measures for an effective repression of the traffic, as was pointed out in the reports from the Departments of Justice and of Foreign Affairs, presented to the General Legislative Assembly in January of the present year; and as the Undersigned had, on sundry occasions, pointed out to Mr. Hudson, he hoped that the adoption of those very measures, and that a series of incontestable facts would enable him to reply to that note in a different manner than in words and promises.

In fact it appears to the Undersigned that, by the adoption of the Law of 4th September, 1850, and by the promulgation of the Decree of the 14th instant, the foundations of Mr. Hudson's note of 16th April, completely disappear.

And the Undersigned hopes that Mr. Hudson will call the attention of his Government to the importance and extent of the dispositions of that law and regulation, without which, however great the will, it would be impossible, as it has hitherto been, for the Imperial Government efficaciously to repress the Traffic.

That law and regulation, the cruizers recently appointed by the Imperial Government, and which will continue to be increased, the apprehension of more than 900 Africans, from the month of October last year to the present date, by Brazilian authorities and cruizers, in the Bay of Rio de Janeiro, in Santos, in Jurujuba, at Cape Frio, and at Macahé; the instructions it has given to its cruizers, and to the Presidents of some of the provinces, where necessary, to cause those points on the coast to be examined at which dépôts of materials for fitting out vessels destined to the Traffic are said to exist, in order to proceed, in relation to them, according to the law; and many other facts of minor consequence are irrefragable proofs of the firm and sincere intention in which the Imperial Government has been, and is now, to repress the traffic severely; not only because it thus fulfils the obligation contracted by the Convention of the 23rd of November, 1826, but because it is of opinion that this course is in unison with the true interests of its country.

The Undersigned is, however, obliged to repeat to Mr. Hudson that the violent and illegal proceedings of the English cruizers, against which he protests, in entering into ports of the empire, for the purpose of boarding and capturing vessels (as also in the territorial waters) and in burning some of them, harassing the coasting navigation, frightening the individuals and captains employed in the same, have excited a general clamour and have

caused serious embarrassments to the Government in the execution of the purpose it had designed and manifested long before those facts became more frequent, with the arrival of the *Sharpshooter*, and by the execution of the orders said to have been brought by her. These facts did not cause the Imperial Government to swerve from its purpose, because it nourished the hope, which it still nourishes, that they will be discontinued; and therefore the Undersigned has to declare, in the most solemn manner, to Mr. Hudson, that if, notwithstanding the evident proofs given by the Imperial Government of its firm and sincere purpose to repress the traffic, the British cruizers shall continue to enter the ports of Brazil, to board and detain vessels, and to harass the coasting navigation, the Imperial Government will consider itself unable to prosecute the system commenced, and, by means of an agreement with the British Government, to adopt measures depending upon a Convention, which might serve to perfect those recently adopted towards the repression of the Traffic.

No one better than the Government of Her Britannic Majesty, which for so many years, and with such immense forces and resources at command, has struggled with them, is acquainted with the stumbling-blocks thrown by the avidity of gain in the way of the repression of the Slave Trade.

That repression cannot be complete and perfect except by means of a frank and complete agreement between the 2 Governments.

The Imperial Government is ready to enter into this agreement, but upon one previous condition, that is, upon the most just and legitimate of all conditions, to wit, that, above all, the territory of Brazil, its ports, and territorial waters be respected.

As soon as orders to this effect are transmitted to the British cruizers, the Imperial Government will hasten to make its proposals, and of such a nature as, it hopes, cannot fail to be accepted.

In regard to the Africans emancipated by sentence of the Mixed Commissions, the Government of His Imperial Majesty cannot accede to the proposals made by Mr. Hudson.

The 7th Article of the Regulations touching the Mixed Commissions, annexed to the Additional Convention of the 28th July, 1817, says, that the Africans were to be handed over to the Government of the country in which the Commission resides that had passed sentence, to be employed as servants or free labourers.

Each of the 2 Governments obliged itself to guarantee the freedom of that portion of those individuals which shall respectively be handed over to it. Those delivered to the Brazilian Government have at all times been considered as free men.

The same Government acknowledges itself obliged to guarantee the liberty of those Africans thus delivered to it, and intends to

render the guarantee effective in such a manner as to put an end at once to all complaints and reclamations.

The Law of 7th November, 1831, ordained the re-exportation, to any part of Africa, of those Africans who are declared to be free, and the entering into contracts with authorities in Africa to secure to them an asylum; and the Brazilian Government intends shortly to come to an understanding with the Government of Liberia, in order to secure the reception of those existing in Brazil, who have been declared free by the extinct Mixed Commission.

The Undersigned, &c.

J. Hudson, Esq.

PAULINO JOSE SOARES DE SOUZA.

No. 140.—Mr. Hudson to Viscount Palmerston.—(Rec. December 31.)

MY LORD,

Rio de Janeiro, November 11, 1850.

THE 6th Article of the Brazilian Law of the 4th of September, against Slave Trade, requires that "All slaves who may be seized in Brazil shall be re-exported, at the cost of the State, to the ports whence they came, or to any other point out of the empire, which appears best to the Brazilian Government."

The Imperial Government in order to carry this enactment into effect, have determined to recognize the independence of Liberia, with a view to the transmission to that State, of the Africans contemplated by the 6th Article of the Law in question; and they have appointed Senhor Niteroi Consul-General and Chargé d'Affaires *ad interim* from Brazil to Liberia; and he proceeds to his post (by way of London) by the present voyage of Her Majesty's packet *Crane*.

Senhor Niteroi was formerly Brazilian Commissioner at Sierra Leone.

I have, &c.

Viscount Palmerston, G.C.B.

JAMES HUDSON.

No. 142.—Mr. Hudson to Viscount Palmerston.—(Rec. December 31.)

MY LORD,

Rio de Janeiro, November 11, 1850.

WITH reference to my despatch of the 9th of September, reporting to your Lordship the passage of a Bill through the Brazilian Legislature, for the more effectual repression of Slave Trade, I have now the honour to transmit herewith to your Lordship a copy and translation of that law, which was published in due form on the 4th of September last.

I did not transmit this law to your Lordship by the last packet, because the regulations for its execution, which by the 2nd Article ought to accompany and be annexed to it, were not completed at that date, and were not published until the 14th ultimo; I have now the honour to transmit a copy and translation of those regulations to your Lordship.

The principal features of this law will be found in its IVth, Vth, VIth, VIIth, and VIIIth Articles.

The IVth Article declares that the importation of slaves into the territory of Brazil is considered as piracy, and shall be dealt with in accordance with the provisions enacted in that respect in the IIInd Article of the Law of the 7th of November, 1831.

The Vth Article closes a great gap in Brazilian legislation in regard to Slave Trade. Your Lordship will have remarked the almost certain impunity which attended the acts of slave-dealers in Brazil, whose ships were allowed full liberty to carry cargo to Africa, and bring back slaves without molestation from the Public Prosecutors in Brazil; doubtless, greater vigour on the part of the Imperial authorities would have greatly checked those proceedings, which did incalculable damage to the character of Brazil and to the true interests of her people; but the then existing Brazilian law was silent as to the seizure, trial, and condemnation of slave-ships.

This great want has been supplied by the Vth Article of the Law of the 4th September, which is calculated greatly to embarrass the proceedings of the slave-dealers in Brazil, by providing for the seizure and trial of vessels engaged in Slave Trade.

The VIth Article will, I imagine, coincide entirely with the views held by Her Majesty's Government with regard to the treatment and disposal of Africans who may be rescued by the Brazilian authorities from the power of the slave-dealers; Africans captured by Brazilian cruizers or by other Brazilian authorities, and placed under the protection of the Imperial Government, cannot for the future be apprenticed or hired to private persons; they are to be re-exported to Africa at the cost of the State.

Your Lordship will learn from another despatch of this date and series, that the Brazilian Government have recognized the State of Liberia, and send to the Government of that country (by the packet which carries this despatch) a Consul-General and Chargé d'Affaires, who will negotiate for the reception in Liberia of such Africans as may be placed in the position contemplated by the VIth Article of this law.

The VIIth Article requires that passports shall not be given to merchant-ships destined for the coast of Africa, unless their owners or masters sign a declaration that they will receive no slaves on board, and will give bond for the due performance of this obligation, in a sum of money equal to the value of the ship and cargo.

The VIIIth Article is one of the most important in this law. It introduces a new feature into Brazilian legislation, by establishing Courts of Vice-Admiralty for the trial of cases of slave-trading, and by taking the trial of principals in such cases out of the hands of the common jury.

Such are the principal features of this new Brazilian law against Slave Trade.

I have now the honour to call your Lordship's attention to the Decree No. 708, establishing the Regulations for the execution, in the first instance, of the above law of the 4th of September.

These Regulations are divided into 3 chapters, accompanied by 3 Articles explanatory of certain passages in the body of the Regulations.

The 1st chapter relates to the seizure of slave-ships, and determines the form of process in the first instance.

The 2nd chapter details that process.

And the 3rd chapter declares and determines what are the signs and evidence which constitute a legal presumption of the employment of vessels in Slave Trade.

The 3 Articles which are annexed to these general Regulations are:

1st. An extract from that part of the Commercial Code of Brazil which determines the character of Brazilian merchant-vessels ;

2ndly. A republication of 3 Articles of the Decree of the 7th of December, 1796, which establishes the Rules to be followed in regard to vessels which have been seized and detained by the public authority ;

3rdly. A republication of 5 Articles of the Decree No. 707, of the 9th October, 1850, which establishes the form of process in regard to the trial of prisoners.

Your Lordship will perceive that the XVth Article of the 1st chapter enacts the establishment of Vice-Admiralty Courts for the trial of cases of slave-trading, at Rio Janeiro, Pará, Maranham, Pernambuco, Bahia, and Porto Alegre.

It is to be hoped that when this Law and the Regulations for its execution are brought to bear upon the Brazilian Slave Trade, the effect will be commensurate with the expectations which are formed of it.

The Regulations for the execution of this law in the second instance are not yet completed ; but I am informed that they are in an advanced stage and will soon be published.

The slave-dealers, however, I plainly perceive, are not intimidated by this law. They are about to pursue another mode of importing African slaves into Brazil. They have the effrontery to declare that a reaction will commence in this country in favour of Slave Trade ; and they hope to evade the most rigorous of its provisions by pursuing a course which I have the honour to detail to your Lordship in my other despatch of this date.

I have, &c.

Viscount Palmerston, G.C.B.

JAMES HUDSON.

No. 143.—*Mr. Hudson to Viscount Palmerston.*—(Rec. December 31.)

MY LORD,

Rio de Janeiro, November 11, 1850.

THE recent legislation of Brazil in respect of Slave Trade, and the seizure of slave-ships in Brazilian waters, under Article I of the Convention of 1826, has produced a change in the mode of introducing African slaves into this country.

The slave-dealers have found that the Brazilian Law of the 4th of September, 1850, which makes Slave Trade piracy, and enables the public prosecutor to lay an action against slave-ships, renders the importation of slaves into Brazil more dangerous to themselves, and more hazardous to their vessels; and, consequently, in order to keep the price of slaves within the reach and the capability of the planter to purchase, they require another class of vessel, of a less costly build, rig, and equipment, than those fine schooners, brigs, and barques, which heretofore have been so much employed in Slave Trade.

It is now the intention of the slave-dealers to purchase, or, if possible, to construct of cheap materials, smaller and less suspicious-looking vessels on the coast of Africa, and of that class known in Brazil under the denomination of "palhabote," schooner-rigged, with main-sail, fore-sail, and jib, without top-masts, and with stays instead of shrouds, resembling the New York pilot-boat, or the "pungy" of Chesapeake Bay. These vessels, on their arrival off the coast of Brazil, are to discharge their slaves into large fishing-launches (calangeiras), which run into shallow water and land the Africans on the beach; and the vessel in which the slaves arrived is then to be either burnt or sunk.

By these means the principals in the transaction hope to avoid the penalties attached by the Brazilian Law of the 4th September, 1850, to the crime of slave-trading, all proof being destroyed of their guilt.

I have, &c.

Viscount Palmerston, G.C.B.

JAMES HUDSON.

No. 151.—*Mr. Hudson to Viscount Palmerston.*—(Rec. December 31.)

MY LORD,

Rio de Janeiro, November 11, 1850.

I HAD the honour, in a despatch of the 9th of September, to report to your Lordship the presentation to the Brazilian Legislature, of a Bill for the sale, management, and better administration of waste lands in Brazil, and I drew your Lordship's attention particularly to that Bill as affording one of the best means of aiding in the repression of Slave Trade, by throwing open to free labour vast tracts of fertile land, which, for want of due regulations as to its sale and settlement, are closed and valueless, both to the colonist and to the State.

This Bill having passed the Brazilian Legislature and become

law, I considered it my duty to call the attention of the Minister for Foreign Affairs to your Lordship's despatch of the 4th of November, 1848, in proof of the desire of Her Majesty's Government to assist Brazil in her efforts to substitute the labour of free men for that of slaves.

I accordingly waited upon Senhor Paulino, and placed in his hands your Lordship's despatch above referred to, and pointed out all the advantages which might be derived from the proposition of Her Majesty's Government.

I was deeply pained to learn from Senhor Paulino, that no steps for the settlement or colonization of the waste lands in Brazil can yet be taken, as no provision for measuring them has been yet agreed upon.

Until, therefore, those steps are taken, this law, which otherwise would have rendered effective aid in repressing Slave Trade, by affording to the Brazilian planter a contrast between the skilful, willing, and ready labour of the free man, and the tedious, slow, and thoughtless process of the unwilling slave, must remain a dead letter.

I have the honour to transmit herewith to your Lordship the copy and translation of the law in question.

I have, &c.

Viscount Palmerston, G.C.B.

JAMES HUDSON.

No. 153.—Viscount Palmerston to Mr. Hudson.

SIR,

Foreign Office, January 17, 1851.

I HAVE received and laid before the Queen your despatch of the 11th of last November, inclosing a copy and translation of a note, dated the 24th of the preceding month, which you had received from M. Paulino de Souza, in reply to a note which you addressed to that Minister on the 16th of April, 1850, respecting the continued importation of slaves into Brazil, and the condition of the negroes emancipated by the Mixed Commission which was established at Rio de Janeiro.

I have now to state to you, that you need not give any written reply to this answer, unless M. Paulino wishes to have one; but you should state verbally to M. Paulino, with regard to the laws passed and the measures adopted in Brazil for the repression of the Slave Trade, that Her Majesty's Government are waiting with anxious interest to see the result which may follow from a strict and impartial application of those laws, and from a vigorous, systematic, and uncompromising execution of those measures; but that the experience of the past prevents Her Majesty's Government from considering the mere enactment of a law, or the issuing of an order, as equivalent to a practical result.

With respect to the statement made by M. Paulino, that if the British Government would discontinue the measures which it has adopted on the coast of Brazil for the suppression of the Slave Trade, the Brazilian Government would make proposals for a Convention on that subject between the 2 Governments, you should say that Her Majesty's Government are sorry that they cannot act upon this suggestion; because it amounts to this, that if the British Government will abstain from employing certain practical means which experience has proved to be efficient, the Brazilian Government will make proposals which may very possibly be such as Her Majesty's Government could not agree to, and thus the only result would be that during the interval of time which would be lost in such a fruitless negotiation, the Slave Trade would be carried on with its former intensity on the Brazilian coast.

If the Government of Brazil have any proposals to make in regard to a Slave Trade Treaty which the British Government is likely to accept, the sooner those proposals are made the better, and they will receive due consideration; but the Brazilian Government, in framing them, would do well to bear in mind the Draft of Treaty which was communicated to it in December, 1847, by Lord Howden.

With respect to the emancipated negroes, Her Majesty's Government would be glad to learn that they had been sent to Liberia, where their freedom would be secured; but it is manifest that if they were sent to any Portuguese possession or to the territories of any native Chiefs, their freedom would be in much danger.

I am, &c.

J. Hudson, Esq.

PALMERSTON.

No. 154.—*Viscount Palmerston to Mr. Hudson.*

SIR,

Foreign Office, January 23, 1851.

I HAVE received and laid before the Queen your despatch of the 11th of November last, and its inclosure, reporting the determination which has been taken by the Brazilian Government to recognize the Republic of Liberia: to accredit an Agent to the President of that State; and to send thither the survivors of the negroes who were emancipated by the Mixed Commission heretofore established at Rio de Janeiro.

I have the satisfaction of informing you that Her Majesty's Government entirely approve of the whole course of the conduct which you have pursued with respect to these emancipated negroes; and that the intention which is entertained by the Government of Brazil of sending them to Liberia is entirely unobjectionable to Her Majesty's Government.

I am, &c.

J. Hudson, Esq.

PALMERSTON.

No. 155.—Viscount Palmerston to Mr. Hudson.

SIR,

Foreign Office, January 23, 1851.

I HAVE received and laid before the Queen your despatch of the 11th of November, 1850, inclosing a copy and translation of the new Law of Brazil for the suppression of the Slave Trade, which was passed on the 4th of September last; and a copy and translation of the Imperial Decree which was issued on the 14th of October, establishing regulations for carrying that law into effect.

I have now to instruct you to express to the Brazilian Government the great satisfaction which Her Majesty's Government have derived from a perusal of this Law and of these regulations, which seem well calculated to accomplish the purposes for which they are framed, if they shall be vigorously and invariably carried into execution.

You should also say to the Brazilian Government, that if these laws and regulations are efficiently enforced, and if, by means of such measures, the Brazilian Government shall, by its own action, set to work to put an end to the Slave Trade, Her Majesty's Government will with pleasure instruct Her Majesty's naval Commander on the coast of Brazil to act in co-operation with the measures adopted by the Brazilian Government.

I am, &c.

J. Hudson, Esq.

PALMERSTON.

No. 163.—Mr. Hudson to Viscount Palmerston.—(Rec. Feb. 3, 1851.)

MY LORD,

Rio de Janeiro, December 17, 1850.

WITH reference to my despatch of the 11th of November, transmitting to your Lordship a copy of the Law of the 4th of September last, and of the regulations passed by the Brazilian Legislature against Slave Trade, I have now the honour to inclose herewith the copy of another decree which regulates the execution of parts of that law.

I have, &c.

Viscount Palmerston, G.C.B.

JAMES HUDSON.

No. 165.—Viscount Palmerston to Mr. Hudson.

SIR,

Foreign Office, February 8, 1851.

I HAVE to acquaint you that on the 6th of May, 1850, His Highness the Imaum of Muscat formally granted permission to Her Majesty's ships of war employed on the eastern coast of Africa in the suppression of the Slave Trade, to enter the creeks, rivers, ports, and bays between Cape Delgado and Sanga Manara, or Pagoda Point, in search of vessels engaged in the Slave Trade, and also to destroy all barracoons or establishments found erected within those limits for carrying on Slave Trade.

Cape Delgado, which is situated in about 10° 41' south latitude, is the point which separates His Highness' dominions on the east

coast of Africa, from the dominions of the Portuguese Crown upon that coast. Sanga Manara, or Pagoda Point, is apparently about 100 miles north-west of Cape Delgado.

In pursuance of the permission thus obtained from the Imaum, the boats of Her Majesty's ships *Castor* and *Dee* having proceeded in the month of May last on an inspection of the district referred to, discovered at a place called Masani, about 5 miles north-west of Cape Delgado, a complete slave-trading establishment, with barracoons and sheds adjoining, capable of containing upwards of 1,000 slaves, surrounded by the houses of the slave-traders. The whole of those buildings, with the property contained therein, were set fire to and totally destroyed. Early in the month of June, the boats of the same ships having proceeded to an inspection of the River Mozamba, in $10^{\circ} 36'$ south latitude, discovered at a village called Keonga, about 5 miles from the entrance of that river, another complete slave-trading establishment, consisting of barracoons capable of containing 4,000 slaves, stores, sheds, kraals, &c., and those buildings were likewise entirely destroyed, as well as a slave dhow measuring about 100 tons.

These slave-trading establishments are reported to have been in the habit of furnishing supplies of slaves, not only to the market of Zanzibar to the northward, but also to the Portuguese settlements to the southward, for exportation thence to Brazil; and I have the satisfaction of informing you that their destruction is represented as likely to prove a serious check to the Slave Trade on that part of the east coast of Africa.

I have to instruct you to communicate these facts to the Brazilian Government.

I am, &c.

J. Hudson, Esq.

PALMERSTON.

No. 166.—*Mr. Hudson to Viscount Palmerston.*—(Rec. March 10.)

MY LORD,

Rio de Janeiro, January 8, 1851.

WITH reference to your Lordship's despatch of the 15th October last, instructing me to present to the Brazilian Government a note upon the subject of the piratical and murderous attack upon Her Majesty's ship *Cormorant*, by persons in possession of a fort belonging to the Emperor of Brazil at Paranaguá, I have the honour to transmit herewith to your Lordship the copy of a note which, in obedience to your Lordship's instructions, I have addressed to the Brazilian Minister for Foreign Affairs upon this subject.

Your Lordship will perceive, at the close of this note, that I have called the attention of Senhor Paulino to the departure from this port of the Sardinian galera *Due Amici*, commanded by a person named Frugoni, a notorious slave-dealer, who is strongly suspected of having headed those pirates and miscreants who gained possession

of the fort at Paranaguá, and turned its guns upon Her Majesty's ship *Cormorant*; and I have the honour to inclose the copy of a note which I addressed to Senhor Paulino upon the fact of the departure of that person from this port.

I have also the honour to report to your Lordship that the *Due Amici* is supposed not to have gone, as is reported, to Genoa, but to Bahia, where, if the occasion presents itself, she will fit out for Slave Trade, and thence proceed to Africa for a cargo of slaves.

I have, &c.

Viscount Palmerston, G.C.B.

JAMES HUDSON.

(Inclosure 1.)—*Mr. Hudson to Senhor Paulino de Souza.*

EXCELLENT SIR,

Rio de Janeiro, December 26, 1850.

HAVING duly transmitted to the Government of the Queen a copy of the note which I addressed to your Excellency on the 12th of last July, upon the subject of an attack made by the fort of Paranaguá on Her Majesty's ship *Cormorant*, by which one seaman of Her Majesty's ship was killed and two wounded, I am now instructed to state to your Excellency the extreme displeasure and astonishment felt by Her Majesty's Government at learning the perpetration of this piratical and murderous attack upon one of Her Majesty's ships by persons in possession of a fort belonging to the Emperor of Brazil.

Her Majesty's Government sincerely hope that the result of the searching inquiry which the Imperial Government will no doubt have thought it to be their imperative duty immediately to institute, will prove that no persons holding a commission under or receiving pay from the Emperor, were concerned in committing this scandalous outrage; but that it was the act of a band of pirates who, having overpowered the military garrison, had taken possession of the fort for their iniquitous purpose.

Her Majesty's Government cannot entertain a doubt that the Brazilian Government will deem it essential for the honour of the Brazilian army to inquire whether the garrison of the fort made a proper resistance to the lawless violence of these pirates, or whether the fort was surrendered to those marauders through the want of courage, or through the criminal connivance of those officers and men to whom the Imperial Government had entrusted the safe keeping of it.

But this is an investigation which concerns only the honour and reputation of the Brazilian military service, and with which, therefore, the Brazilian Government alone is entitled to deal. But the fact that, by some means or other, a band of pirates succeeded in obtaining possession of a Brazilian fort, and turned the guns of that fort on a British ship of war, is a matter which Her Majesty's

Government cannot allow to pass without demanding the most ample redress.

That redress must consist in a formal communication from the Brazilian Government, expressing its deep regret that such an outrage should have been committed, and by the punishment of the pirates who have been guilty of murdering one of Her Majesty's subjects and wounding two others.

Her Majesty's Government trust that the Brazilian Government will long since have taken the most active steps for bringing to adequate punishment all the parties who were concerned in this nefarious and disagreeable transaction.

Your Excellency, however, knows that no answer has yet been returned to the 2 notes which I have already addressed to you upon this grave matter; and I have therefore, for the third time, to call your Excellency's most serious attention to it, and to demand, in the name of my Government, that no further delay shall take place therein.

I avail, &c.

Senhor de Souza.

JAMES HUDSON.

(*Inclosure 2.*)—*Mr. Hudson to Senhor Paulino de Souza.*

EXCELLENT SIR,

Rio de Janeiro, December 16, 1850.

I HAVE the honour to inclose herewith a copy of the "*Jornal do Commercio*" of this day, in which, under the head of "*Movimento do Porto*," your Excellency will see that the Sardinian galera *Due Amici*, yesterday sailed hence for Genoa, having on board a man named Antonio Pasqual Frugoni, who, I am informed, is the same individual whom I long ago pointed out to your Excellency as the person who committed that atrocious act of piracy of firing upon Her Majesty's flag at Paranaguá.

I have therefore to request that your Excellency will state to me, for the information of my Government, what steps have been taken by the Imperial Government to examine into the facts of that case, and how it happens that the miscreant and slave-dealer, Frugoni, who is suspected of the high crime in question, has been permitted to leave this country.

I have also to point out to your Excellency that I have not yet received a reply to the note which I had the honour to address to your Excellency on the 14th of last July.

I avail, &c.

Senhor de Souza.

JAMES HUDSON.

No. 171.—Mr. Hudson to Viscount Palmerston.—(Rec. March 10.)

MY LORD,

Rio de Janeiro, January 11, 1851.

As your Lordship's despatch of the 15th October points out some of the conditions upon which Her Majesty's Government would consent to conclude a Treaty for the suppression of Slave Trade,

I deemed it my duty to endeavour to effect with the Brazilian Government such a preliminary arrangement as would, while it assisted the suppression of Slave Trade in this country, facilitate the operations of Her Majesty's Naval Forces on this coast, and the negotiations for a definitive Treaty for the suppression of Slave Trade.

With this view I laid before Senhor Paulino the draft of a note, a copy of which I have the honour to inclose, in which your Lordship will perceive the terms upon which I proposed that the authorities of Brazil should co-operate with those of Her Majesty in the suppression of Slave Trade.

I presented this draft to Senhor Paulino on the 23rd ultimo, and his Excellency then saw no objection to it. On the 26th of the same month his Excellency altered his mind, and rejected it. At a further conference, on the 6th instant, his Excellency again accepted it; rejected it at noon yesterday, and at 7 o'clock in the evening of the same day he presented to me a modification of the terms contained in the draft of my note.

I have the honour to inclose a copy of the memorandum which Senhor Paulino presented to me on that occasion, from which your Lordship will perceive that no provision is made for the case of a refusal of co-operation on the part of the Brazilian authorities.

Upon my pointing this out to Senhor Paulino, his Excellency replied, "Oh! in that event you may take slave-ships on your own responsibility. You may do what you think proper in that case."

As the rejection of this important point was tantamount to a rejection of the whole, I returned to Senhor Paulino his memorandum, acquainting him that it was altogether inadmissible.

I have laid before the Rear-Admiral Commanding-in-chief the whole of my correspondence with the Brazilian Government upon this subject, and upon that of the discontinuance of the temporary suspension of his orders to capture slave-ships in Brazilian waters.

I have, &c.

Viscount Palmerston, G.C.B.

JAMES HUDSON.

(Inclosure 1.)—*Draft Note proposed to be addressed by Mr. Hudson to Senhor Paulino de Souza.*

Rio de Janiero, December , 1850.

THE Undersigned, &c., has the honour to request that his Excellency Senhor Paulino will state to him, for the information of the Government of the Queen, whether, in order to the more complete and effectual repression of the trade in African Slaves, there is any objection on the part of the Imperial Government to placing the Imperial forts on the same footing as the Imperial vessels of war; and that on the same principle on which when a slaver is to be

searched within sight of a man-of-war of the same nation, the commanding officer of such ship of war is to be invited to co-operate in the search, so also in the case of a slaver lying under the guns, or being under the protection, of an Imperial fort, the commander of the fort should be invited to co-operate in the search of the slaver.

The Imperial Government, in the event of their consenting to this arrangement, will of course instruct the Imperial military authorities accordingly, and will point out to them, that in the event of their withholding such co-operation, they will be held responsible for breach of the Imperial orders; and the officers of the Queen engaged in the suppression of the Slave Trade will therefore not deem that co-operation necessary, but will dispense with it.

And in those places where there is no military authority, the Imperial Government will instruct the civil power to pursue a similar course of conduct in similar cases.

The Undersigned, &c.

(Inclosure 2.)—*Memorandum received from Senhor Paulino de Souza.*
(Translation.)

If any vessel suspected of being employed in Slave Trade should be found in any of the ports or anchorages, or within the reach of any of the batteries on shore, a proper representation thereof being made to the civil and military authorities (who they are to be explained), in order to their proceeding, or causing others to proceed, with suitable examinations to ascertain if any of the symptoms or marks declared in the Regulation of . . . are met with; and if such do exist, the vessel will be detained by such authority, who will place a force on board of her and send her to the competent Maritime Judge to proceed according to law.

The commander of the cruiser may, if he chooses, or any officer deputed by him, attend the examination of the vessel in the small ports of the coast, in the anchorages and other places where there is no population.

The Imperial Government will issue orders in conformity.

No. 172.—*Mr. Hudson to Viscount Palmerston.*—(Rec. March 10.)

MY LORD,

Rio de Janeiro, January 11, 1851.

WITH reference to your Lordship's despatch of the 15th of October, stating the circumstances under which I should not be justified in continuing the temporary suspension of the execution of a portion of the orders with regard to the suppression of Slave Trade, of the Rear-Admiral Commanding-in-chief on this station, I have the honour to transmit herewith to your Lordship the copy of a note which I have addressed to Senhor Paulino, the Brazilian Minister for

Foreign Affairs, acquainting him that that temporary suspension is at an end, and stating my reasons for adopting this line of conduct.

I have, &c.

Viscount Palmerston, G.C.B.

JAMES HUDSON.

(*Inclosure.*)—*Mr. Hudson to Senhor Paulino de Souza.*

EXCELLENT SIR,

Rio de Janeiro, January 11, 1851.

WHEN the Brazilian Parliament passed, and His Imperial Majesty Don Pedro sanctioned the law against Slave Trade of the 4th of September last, the civil and military authorities of the Queen in this country had good right to expect that the Brazilian Government, who held office in order to carry out the Imperial will and the Imperial law, would have put that Law and the Law of 7th November, 1831, effectively in operation against the traffickers in human flesh.

When, on the 13th of July, your Excellency told me that you were prepared to put the navigation of your country under a foreign flag, if slave-ships were seized by Her Majesty's vessels in Brazilian waters, in accordance with the stipulations of a Treaty; when I told your Excellency, that on condition of your putting your own laws in execution against slave-dealers without favour or partiality, I would incur the heavy responsibility of recommending the suspension of the orders to seize those slavers in your ports and waters; and when afterwards I reduced that agreement to writing, it was understood by your Excellency and by myself, that the imperial will and the imperial law should have fair play and due force. That there should be no compromising with the dealers in human flesh. That the Slave Trade, that curse to Brazil and disgrace to our age, should be put down in Brazil by Brazilian power, that was to say, by your Excellency and by your colleagues, the guardians of the honour of this nation, and the practical expounders and enforcers of its laws.

I now ask your Excellency which of us has kept and which has failed to observe that agreement?

This is a serious matter: it is not a mere question of pressure upon a small knot of pirates and kidnappers, who by some mysterious agency, are permitted to make Brazil their head-quarters; but as to whether the servants of the Crown of Great Britain and Brazil respectively have done their duty.

As the question, therefore, immediately at issue, relates to the grounds on which I consented to take upon myself the responsibility of suspending the orders in question, it is but just that we should examine the engagement into which I entered with your Excellency.

The laws of this empire, and the Treaty between Great Britain and Brazil, for the suppression of Slave Trade, bound your Excellency, in any case, to suppress Slave Trade: but in addition to those

motives for action in that matter, there was the engagement referred to.

It was understood then, on the 13th of last July :

1st. That your Excellency would present to the Brazilian Parliament such a law as would enable the Imperial Government to bring to justice vessels and persons engaged in Slave Trade.

2ndly. That the penalties, in order to prevent the equipment of ships for Slave Trade, should be increased, and heavier bond required from ships engaged in African voyages.

3rdly. That measures should be adopted to prevent coasting-vessels carrying from port to port articles destined for the equipment of slave-vessels, and that bond should be entered into by them for the lawful performance of their voyages, and the legal use of such suspicious articles as they might carry.

4thly. That the Slave Trade should be put down whenever the Imperial Government was armed with the powers which your Excellency intended to demand of the Brazilian Parliament.

These were the leading features of the pact into which I entered with your Excellency just 6 months ago ; which was followed by your Excellency's speeches in the Chamber of Deputies and Senate ; by the passing of the law of the 4th of September ; and by those assurances respecting the suppression of Slave Trade, which, by your Excellency's desire, I have conveyed to my Government.

I have now to consider and to point out where your Excellency has failed to comply with your own laws, and with the spirit and intent of our mutual compact, and with the Treaty of 1826.

1st. It was agreed, that all ships fitting for Slave Trade in Brazilian ports and waters should be seized by the public authorities of Brazil.

It has been my duty, since entering with your Excellency into the compact in question of the 13th of July, more than once publicly to call your Excellency's attention to the number of slave-vessels arriving at and departing from Bahia, and to the permission notoriously given to them to pursue their illegal traffic.

Seven vessels are at this moment fitting, or fitted for Slave Trade, in Bahia, and they are only waiting the withdrawal of one of Her Majesty's ships now stationed there, to depart on their illegal voyages.

Twelve barracoons where Africans are publicly kept for sale exist in full activity in and near Bahia. No attempt is made by the public authorities to close them, to restore the Africans in them to that freedom to which they are entitled by law, and to prosecute their owners for this gross and flagrant violation of the Imperial laws and international obligations.

One vessel, it is true, has been condemned at Bahia for attempting
[1850—51.]

to break the Navigation Law, and Municipal Law of the empire, and the port regulations of Bahia. Her attempt was too gross a violation of those laws and rules. Her cargo and fittings too palpably intended for Slave Trade, for her to escape attention and punishment.

But why are not the other slave-ships and their owners subjected to a similar process ?

Your Excellency is aware that, on the 6th instant a large vessel, the *Indigena*, left this port, and was seized outside the harbour. She had her slave-deck laid, and her leaguers, bulkheads, gratings, and hatches were such as are only used by slavers. No attempt was made to examine her by the authorities in this harbour, or to inquire into the nature of the fittings she had on board.

2ndly. It was understood that all Africans landed in Brazil after the pact between your Excellency and myself, should be seized by the public authorities.

Your Excellency, indeed, has sent an agent to Liberia to inquire whether that State will consent to receive Africans who have been illegally imported into Brazil, on condition, as I understood from your Excellency yesterday, that Liberia shall consent to pay the expenses of the passage of those Africans; a condition which, considering the resources of Liberia, and the date of her birth as an independent State, is, I imagine, an utter impossibility.

But is your Excellency aware that upwards of 5,000 African slaves have been landed in this and the adjoining provinces since your Excellency entered into the arrangement of the 13th of July; and that the Imperial authorities have seized but 23 of them, although the military force sent to seize those Africans was occasionally within three-quarters of a league of large bodies of them; as was notoriously the case at the Fazenda of Graça of Manguinhos, which is described by the Chief of Police of this province in his public report, as being destined for nothing but the reception of illegally imported Africans; and at the Fazenda of Conceição, belonging to Brevis, which is situated but three-quarters of a league from the Sacco of Mangaratiba, where the police force disembarked, which was destined to capture the Africans of the *Idelmunda* and *Carne Secca*.

Your Excellency has doubtless heard the report that, although Graça is denounced by the Chief of Police of this province as a violator of the Imperial laws, no process at law has been, or is to be commenced against him. The same immunity is accorded to Brevis.

To these must be added the proprietors, shippers, and dealers connected with the cargoes of the *Astro*, *Sagaz*, and *Julia*, *Catao*, *Idelmunda*, *Tres Amigos*, and *Eleanor*, who are all perfectly well

known. Your Excellency informed me yesterday that the Imperial Government had determined to send a Sardinian baker, named Pareto, out of this country, on account of his being a foreigner notoriously engaged in Slave Trade. But the owners of the slave-ships I have named to your Excellency are also all foreigners, all equally guilty as this wretched baker, and all equally subject to the action of Brazilian laws. Nevertheless, I do not hear of any attempt being made by the Imperial Government to punish them.

Your Excellency cannot surely consent that men like Valencio and Frugoni, notorious slave-dealers, both of whom are suspected of having been engaged in the murder of Her Majesty's subjects, and one of whom is strongly suspected of having fired on Her Majesty's flag at Paranaguá, shall continue at large in Brazil.

That corrupt magistrate, Maya, of Guarapari, has never, to my knowledge, received the slightest censure or punishment for his proceedings in permitting the notorious slaver *Feiticeira* to fit out for Slave Trade, or for having fired on the boats of Her Majesty's steam-sloop *Harpy*, after he had passed his word of honour that the *Feiticeira* should be delivered to the Imperial Government, and her owners indicted for a breach of the laws of his country.

5thly. It was understood and agreed by your Excellency and by myself, that barracoons or depôts for the sale of Africans should be closed by the proper authorities. Your Excellency can scarcely be ignorant that depôts for this purpose exist at Cape Frio, Armacão, Rio de San João, Rio das Ostras, Macahé, Campos, Manguinho, Piume, Marambaia, Mangaratiba, Dios Rios, Mambucaba, Fazenda do Alegrete, Itabatinga, Sombrio, and Perrequé.

6thly. It was agreed that proper precautions should be taken to prevent the employment of coasting vessels in Slave Trade.

The recent trial of the *Amelia* at Pernambuco is proof of the extent to which this practice is carried; and recent reports show that no hindrance to the custom is attempted, especially from Bahia along the coasts of Alagoas and Pernambuco.

I am not aware that the agreement into which your Excellency entered with myself, namely, that coasting-vessels should give bond in money for the lawful employment of those suspicious cargoes which they so frequently carry, has ever been fulfilled.

Finally. It is clear that whilst these things continue, your Excellency cannot lay claim to any share in the suppression of the Slave Trade.

That trade continues; interrupted it is true by that pressure upon the slave-dealers which produced a temporary check; but the pressure removed, we see a relapse to the former apathetic indifference to the provisions of laws and the stipulations of Treaties, produce a corresponding reaction on the part of the slave-dealers.

Your Excellency, on a review of the proceedings of Her Majesty's authorities in this country, will find that in no instance have they departed from the letter and the spirit of the compact into which I entered with your Excellency on the 13th of July.

The Rear-Admiral and myself, in endeavouring to consult the desire of the Imperial Cabinet, agreed to incur a heavy amount of responsibility. But as we see that our conduct on that occasion is either not appreciated or is misconstrued, as we have failed in our endeavours to induce the Government of the Emperor of their own accord to act up to their own laws, the will of their Sovereign, and the obligations of their Treaties, we have no other course left open to us, consistently with our public duty, than to resume that conduct which we hoped the action of the Imperial Cabinet would have rendered unnecessary; and it remains to me, therefore, but to state to your Excellency, that the provisional suspension of the orders to seize slave-ships in accordance with the spirit and letter of the Treaty of 1826 is at an end.

I avail, &c.

Senhor de Souza.

JAMES HUDSON.

No. 173.—*Mr. Hudson to Viscount Palmerston.*—(Rec. March 10.)

MY LORD,

Rio de Janeiro, January 11, 1851.

IN order to bring before your Lordship as succinctly as possible, the result of the system pursued by Her Majesty's Government on this coast, in the repression of the Brazilian Slave Trade, I have the honour to inclose herewith the copy of a letter and of its inclosures which has been addressed to me by Her Majesty's Consul for Rio Janeiro, from which your Lordship will perceive that the importation of Africans into the Province of Rio Janeiro for the 6 months ended 31st December, 1850, has diminished by nearly 500 per cent., as compared with the importation of African slaves in the corresponding periods of the years 1847, 1848, and 1849.

I think there is no doubt that if the present Brazilian Government had properly done their duty, and had acted up to the spirit of their laws of 1st November, 1831, and 4th September, 1850, and of the Treaty of 1826, against Slave Trade, it would have been my agreeable duty to have reported to your Lordship the almost total suppression of the Brazilian Slave Trade.

I have, &c.

Viscount Palmerston, G.C.B.

JAMES HUDSON.

(Inclosure 1.)—*Consul Hesketh to Mr. Hudson.*

SIR,

Rio de Janeiro, January 3, 1851.

FINDING it impossible to complete for the *Petrel* packet the annual Slave Trade report, ordered by Her Majesty's Secretary of State for Foreign Affairs, I have the honour, in compliance with

your instructions, to inclose a return showing the number of slaves landed on the neighbouring line of coast during the latter 6 months of the 3 years 1847, 1848, and 1849, averaging upwards of 24,400 slaves.

And I have also inclosed a return showing all the particulars of the landing of slaves along the same part of this coast during the 6 months ending 31st December, 1850; showing that during the latter half of 1850 the total number of slaves landed on the same extent of coast was 5,108, or very little more than a fifth of the average landed in the corresponding periods of the 3 preceding years.

This return also shows that out of 11 vessels employed in that importation of slaves, with none have the slave-dealers succeeded in their former practice of forthwith dispatching them on another voyage to Africa, all the 11 having been either burnt, sunk, or seized.

Whereas in the latter half of the year 1849, upwards of 22,000 slaves were disembarked from 37 vessels, and only one vessel seized, the remaining 36 being left to the undisturbed employment of their lawless owners.

The pilot boat-rigged schooner *Joven Maria* does not appear in the return for the last half-year, having been captured by a Brazilian cruizer at sea, with 291 Africans, who have been brought into this harbour; and circumstances encourage the expectation that the effectual step of seizing these Africans, and of at once rescuing them from bondage, will, during the forthcoming half-year, mark that essential advancement on the measures of suppression enforced during the last 6 months.

I have, &c.

J. Hudson, Esq.

ROBERT HESKETH.

(Inclosure 2.)—Return of the number of Slaves disembarked from Africa on the Brazilian coast, between Campos and Santos, during the 6 months ending December 31, in each of the 3 following years.

Last 6 months of	Number of Slaves.	Total.	Average of above specified half-years.
1847	23,500	73,348 Slaves	24,449 Slaves.
1848	27,750		
1849	22,098		

ROBERT HESKETH.

(Inclosure 3.)—Return of 5,108 Slaves landed within the Province of Rio de Janeiro, between July 1, and December 31, 1850.

No. 177.—Mr. Hudson to Viscount Palmerston.—(Rec. March 14.)
 MY LORD, *Rio de Janeiro, February 11, 1851.*

WITH reference to your Lordship's despatch of the 1st of December, instructing me to report to your Lordship the number of Africans who have been introduced into Brazil during the year 1850, I have the honour to report that the number of Africans introduced during that period into the Provinces of Rio Janeiro, St. Paul's, Espiritu Santo, and St. Catherine's, amounted to 13,372.

As I have not yet received the reports from the northern provinces, I have instructed Her Majesty's Consuls at Bahia and Pernambuco to report to your Lordship the number of Africans introduced into their Consular districts during the past year.

Your Lordship is aware that at this moment Slave Trade is only carried on by the provinces above-named.

I have, &c.

Viscount Palmerston, G.C.B.

JAMES HUDSON.

No. 183.—Mr. Hudson to Viscount Palmerston.—(Rec. March 14.)
 MY LORD, *Rio de Janeiro, February 11, 1851.*

WITH reference to my despatch of the 8th ultimo, transmitting to your Lordship the copy of a note which I addressed to the Brazilian Minister for Foreign Affairs, respecting a slave-dealer named Frugoni, who is strongly suspected of having headed those pirates and miscreants who fired upon Her Majesty's ship *Cormorant*, at Paranaguá, I have now the honour to inclose herewith to your Lordship the copy of a note which I have received in reply from the Brazilian Minister for Foreign Affairs, and of the answer which I have returned to his Excellency.

It will be in your Lordship's recollection, that I had the honour to report in my despatch of the 8th ultimo, that the slave-dealer Frugoni had left this port in a Sardinian vessel called the *Due Amici*, which cleared out for Genoa, but that I had reason to believe the object of Frugoni was to put into Bahia, where, if a favourable occasion presented itself, he would fit out for a slaving voyage to Africa.

This opinion is, I think, in great measure confirmed by the inclosed copy of a letter from Her Majesty's Consul at Bahia, reporting the arrival of the *Due Amici* at that port.

I have, &c.

Viscount Palmerston, G.C.B.

JAMES HUDSON.

(Inclosure 1.)—Senhor Paulino de Souza to Mr. Hudson.
 (Translation.) *January 28, 1851.*

THE Undersigned, &c. received the note which Mr. J. Hudson, &c. addressed to him under date of the 15th of December last, relative to

the Sardinian Frugoni. That individual's name not being implicated in any suit, not even mentioned in Mr. Hudson's note of the 14th of July of the last year, nor in the official reports from the President of St. Paul's, and having presented himself, furnished with a legal document from the Consulate of His Majesty the King of Sardinia, a passport to leave the empire could not be denied him. Mr. Hudson founds himself upon suspicions, not supported by any official document, and those, in all, or any cases, would be insufficient to prevent his quitting the empire, principally as the Consulate has become responsible to the individual.

If Frugoni was a slave-dealer (of which the Imperial Government have no proofs), his retiring from this country is in accordance with the views of the said Government, and with the measures they deem it expedient to adopt in certain cases for the repression of the traffic, when carried on by strangers.

The Undersigned, &c.

J. Hudson, Esq.

PAULINO JOSE SOARES DE SOUZA.

(*Inclosure 2.*)—*Mr. Hudson to Senhor Paulino de Souza.*

Rio de Janeiro, January 31, 1851.

THE Undersigned, &c. has received the note which his Excellency Senhor Paulino J. S. de Souza, &c. addressed to him on the 28th instant, stating, that as a Sardinian subject named Frugoni is neither mentioned in any note of the Undersigned to the Imperial Government, nor in the official reports of the President of St. Paul's, that as he is furnished with a legal document by the Consulate of his nation, therefore a passport to leave this country could not be refused him. That the Undersigned merely suspected, and did not support his suspicions of Frugoni by any official proof—suspicions which were in any case insufficient, particularly as the Sardinian Consulate had become responsible in order to prevent Frugoni's leaving this country; and that if Frugoni was a slave-dealer (of which the Imperial Government has no proof), his departure from this country entered into the views of the Imperial Government, and into the measures for the repression of the Slave Trade when carried on by foreigners.

The Undersigned, in reply, has to point out to his Excellency Senhor Paulino, that from the 14th of July last to the 28th instant, the Undersigned has been kept in complete ignorance, by the Imperial Government, of any and every information respecting the affair which occurred at Paranaguá.

The Undersigned confidently trusted that the Imperial Government would have long ago taken measures to determine who were the persons who did fire on Her Majesty's flag.

The Undersigned was informed that the persons who were guilty of that act of piracy at Paranaguá were the foreign miscreants and pirates who composed the crews of the *Leonidas*, *Donna Anna*, *Campeadora*, *Astro*, and of the other slavers which were there permitted to fit out with the same facilities as are accorded to lawful traders.

It was shortly after the 14th of last July that the Undersigned conveyed this information verbally to his Excellency Senhor Paulino; and between that period and the present time, his Excellency, had he been so minded, might surely have collected from those sources of information which are naturally more open to him than to the Undersigned, that Frugoni commanded upon several occasions, the *Thereza*, *Amelia*, *Catao*, and *Leonidas*, slavers; that he was in command of the latter vessel at Paranaguá when the act of piracy was committed; and that, to the disgrace of the Government of this country, he brought into Brazil in the 3 years of 1848, 1849, and 1850, nearly 3,000 African slaves.

The Undersigned does not understand that passage in the note of his Excellency Senhor Paulino in which it is stated that the Imperial Government granted a passport to Frugoni to leave Brazil; then declares that the Sardinian Consulate engaged to prevent his departure; and that if he did depart it would suit the views of the Imperial Government with regard to the suppression of Slave Trade when carried on by foreigners.

The Undersigned has therefore, for the fourth time, to call the attention of the Imperial Government to the act of piracy committed against the flag of the Queen at Paranaguá.

The Undersigned, &c.

Senhor de Souza.

JAMES HUDSON.

No. 184.—*Mr. Hudson to Viscount Palmerston.*—(Rec. March 14.)
MY LORD, *Rio de Janeiro, February 11, 1851.*

WITH reference to my despatch of the 8th ultimo, inclosing the copy of a note which, in obedience to your instructions I addressed to the Brazilian Government, demanding redress for the piratical and murderous attack upon Her Majesty's ship *Cormorant*, by persons in possession of a fort at Paranaguá belonging to the Emperor of Brazil; I have now the honour to inclose herewith a copy and translation of the reply to that note which I have received from the Brazilian Minister for Foreign Affairs.

I have, &c.

Viscount Palmerston, G.C.B.

JAMES HUDSON.

(Inclosure.)—*Senhor Paulino de Souza to Mr. Hudson.*

(Translation.)

January 31, 1851.

THE Undersigned, &c., received the notes which Mr. Hudson, &c., addressed to him on the 14th of July, 16th and 26th of December of the last year, relative to the occurrences at Paranaguá at the end of June of same year.

In the first of those notes Mr. Hudson says, in conclusion, "that he wished that the measures which now (in July, 1850) the Imperial Government have under consideration for the repression of the traffic in slaves, in an effective manner, by preventing the repetition of such a scene, may enable both Governments to bury the fact in oblivion."

Confiding in that declaration, the measures to which Mr. Hudson alludes having been adopted, and being in execution, and the orders given to the cruisers to board and capture vessels inside of the ports of the empire having been suspended, the Undersigned hoped there would be no recurrence to what took place at Paranaguá, and that the same would be consigned to oblivion, the fact of the violation of the territory of the empire having been compensated by the opposition met with.

The Imperial Government, in thus proceeding gave a great proof of moderation, and of the desire to see harmony restored between the 2 countries, because the territory of the empire and its rights of sovereignty and independence having been violated, and the English forces having been the aggressors, the unquestionable right, according to all principles of right and justice, rested with them to demand, not to give, satisfaction.

In Mr. Hudson's note, however, of the 26th of last month, he, by virtue of instructions from his Government, demands the most ample satisfaction which must consist in a formal communication from the Government of Brazil, expressive of the most profound regret that such an outrage had been committed, and in the punishment of the individuals who were guilty of the death of one of Her Britannic Majesty's subjects, and of the wounding of two others. The facts which happened at Paranaguá took place in the following manner, according to all the official communications.

The *Cormorant* entered the port of Paranaguá, and her commandant addressed the official note to the commandant of the fort, whereof a copy is annexed. This official note, either because it was addressed to the commander of the forces at Paranaguá (a post which does not exist there), or because the address was not understood, or from some other cause, was taken to sundry authorities, who refused to open it, as it was not addressed to them.

The *Cormorant* boarded and seized upon 3 vessels inside the port

without meeting with any resistance, and prepared to depart with the vessels in tow.

The fort fired a blank shot at the vessels which were being towed out, and as they did not stop, another shot was fired with ball, and the guard-boat shoved off with an official note to the commander of the *Cormorant*. Then the *Cormorant* fired at the fort with ball, which replied in the same manner; thus an engagement succeeded, in which the *Cormorant* threw shells and grape-shot into the fortress.

This is briefly the manner in which all the communications combine in reporting the fact.

The *Cormorant* had no right whatever to enter the port of Paranaguá, for therein to board and capture vessels, and in so doing she openly violated the territory of Brazil. The Brazilian authorities had a right to repel her.

It is an incontestable principle of the rights of nations, that no nation, in time of peace, has any right to enter another's port to exercise therein acts of jurisdiction.

The official note of the commander of the *Cormorant*, and the co-operation he called for, do not alter the question.

The adhesion to his invitation to co-operate would be an acknowledgment of his right to board and make captures in the port.

The authority who should agree to that would incur heavy responsibility.

The proposals which Mr. Hudson made to the Undersigned on the 10th instant, for the establishment and regulation of that co-operation, by mutual accord, are the acknowledgment that it is not established by any right.

It is also indisputable that the Treaty of 23rd November, 1826, for the repression of the traffic, does not confer that right.

To the reasons given by the Undersigned, in his note of the 28th instant, he will add the following :

That Treaty had for object to strengthen the additional Convention of the Treaty of 22nd January, 1815, and the instructions which accompanied it.

The IInd Article of those instructions says—"No merchant-vessel nor any other engaged in the Slave Trade can, under any pretext whatever, be boarded or detained whilst inside of any port or offing belonging to either of the High Contracting Parties, or within fire of the shot from the batteries on shore; but in the case of suspected vessels being met with in those situations, proper representations can be made to the authorities of the country, asking them to take efficacious measures for preventing such abuses."

The Treaty of the 23rd November, 1826, was developed and

explained by those instructions, which formed a complementary part of it, until their expiration.

The spirit of the Treaty, therefore, could not be in flagrant contradiction with that 2nd Article of the said instructions, and confer a pretended right, which they, if it were so, excluded.

England never pretended to possess that right; never alleged before now that she had it; 24 years after the celebration of that Treaty.

England, in the sundry Conventions which she has celebrated for the repression of the traffic always acknowledged the principles of the rights of nations upon which the Undersigned founds himself. She acknowledged it in the Convention with Portugal, and in others. And if equal declarations were not made in Treaties with other nations, it is because, they being out of the reach of violences similar to those suffered by Portugal and Brazil, did not consider them necessary.

She acknowledged them in the proposal which, by order of Lord Palmerston was handed by Lord Howden to the Imperial Government for the repression of the traffic on the 21st December, 1847. There is seen—Article III, § 4: “It will not be lawful under any pretext or motive whatever, to board or detain any merchant-vessel in any port or anchorage belonging to either of the High Contracting Parties, or within reach of gun-fire of the batteries on shore, unless assistance be demanded in writing by the authorities of the country; however, if any suspected vessel be met with in that port or anchorage, or within reach of the guns of such batteries, the proper representation is to be made to the authorities of the country, requesting them to adopt necessary measures for preventing the violation of the stipulations of this Treaty; and the said authorities are to proceed to take efficacious measures in conformity.”

The boarding and seizure of vessels in the ports and waters of Brazil, constituted, therefore, a violence and abuse of force, and rights cannot be derived from the abuse of force and from violence. Violence and force are repelled by force when practicable.

The British Government has not, therefore, any right to order their cruisers to board and effect captures in the ports and territorial waters of Brazil. If it possessed that right, it would also have the right to exercise it on shore, and to search our houses, and towns, and cities. It might then be said that the Treaty of 1826 made no distinction between land and sea. Brazil would cease to be a nation.

If the *Cormorant* had no right to visit or to capture vessels, although they might even be slavers, in the port of Paranaguá, if she violated the territory of Brazil, it is the Brazilian nation who

has a right to demand satisfaction, instead of being obliged to give it.

If the Imperial Government were to apologize, they would be acknowledging a right in the British cruizers to exercise acts of jurisdiction in their ports; and there is no calamity that is not preferable to such an acknowledgment.

They cannot, therefore, make the required apology.

They, however, considered it their duty to satisfy their country and the laws by ordering prosecutions to be instituted against, and the dismissal of, those authorities who permitted the traffic to reach in Paranaguá the scandalous height to which it had arrived, and who neglected to inform the Imperial Government of the state of things there.

They further ordered the Commandant of the fort to be tried by a court-martial for having permitted the captains and crews of the slave-vessels, for the most part strangers, who were the causes of the pretext for the violation of the territory of Brazil, to have invaded the fortress, to which the said Commandant ought to have opposed himself by dispensing with such dishonest aid.

The Undersigned, &c.

J. Hudson, Esq.

PAULINO JOSE SOARES DE SOUZA.

No. 185.—Mr. Hudson to Viscount Palmerston.—(Rec. March 14.)
MY LORD, *Rio de Janeiro, February 11, 1851.*

WITH reference to your Lordship's despatch of 15th October, and to that passage in it in which your Lordship instructs me to require the Brazilian Government to give the most impartial orders to all officers in command of Brazilian forts, not upon any account whatever to fire upon a British ship-of-war when engaged in the suppression of the Slave Trade; I have the honour to transmit herewith to your Lordship the copy of a note which I addressed to Sênhor Paulino upon this subject, and a copy of the reply which his Excellency returned to it.

As this reply in point of fact approves the attack upon Her Majesty's ship *Cormorant* at Paranaguá, and upon the boats of Her Majesty's ship *Harpy*, at Guarapari, I conceived it to be my duty to call the serious attention of the Brazilian Government to those flagrant instances of connivance of Brazilian authorities in Slave Trade undertakings; and I therefore addressed a further note, a copy of which I have the honour to inclose, to the Brazilian Minister for Foreign Affairs, and based the terms of that note upon the instructions contained in your Lordship's despatch of the 9th of November last.

I have, &c.

Viscount Palmerston, G.C.B.

JAMES HUDSON.

(Inclosure 1.)—*Mr. Hudson to Senhor Paulino de Souza.*

Rio de Janeiro, January 15, 1851.

THE attention of the Government of the Queen having been called by Her Majesty's authorities in this country to the attack upon the boats of Her Majesty's ship *Harpy* at Guarapari, and to the shots fired at Her Majesty's ship *Cormorant*, by a fort at Paranaguá, when those ships were engaged in suppressing the Slave Trade, the Undersigned, &c., has the honour to state, by order of his Government, to Senhor Paulino José Soares de Souza, &c., that as a British ship of war in capturing a slaver under the guns of a Brazilian fort, is only doing that which by Treaty and by law the Commander of the fort ought to do, there can be no justification for firing upon Her Majesty's ships; and Her Majesty's Government, therefore, expect, and the Undersigned is directed to require, that the Government of the Emperor will give the most imperative orders to all officers in command of the Imperial forts, not upon any account whatever to fire upon a British ship of war when engaged in the suppression of the Slave Trade.

The Undersigned, &c.

Senhor de Souza.

JAMES HUDSON.

(Inclosure 2.)—*Senhor Paulino de Souza to Mr. Hudson.*

(Translation.)

January 28, 1851.

THE Undersigned, Councillor of State, &c., has received the note which, under date of the 15th instant, Mr. Hudson, &c., addressed to him, and in which, with reference to the occurrences at Paranaguá and Guarapari, he requires that the Imperial Government shall give the most positive orders to the officers commanding the fortresses of the empire, to the effect that they are not to fire upon any British ships of war, whilst employed in the suppression of the Slave Traffic.

If Mr. Hudson's request refer to identical cases as those at Paranaguá and Guarapari, that is, to cases in which British vessels of war shall come, without the least right, to exercise acts of jurisdiction in the territory of the empire, the Imperial Government cannot issue such orders, because they would be tantamount to the acknowledgment of a right on the part of the Government of Her Britannic Majesty to proceed in that manner. Brazil contests that pretended right, and protests against it, there being no calamity which would not be preferred to the acknowledgment of it.

The Undersigned, &c.

J. Hudson, Esq.

PAULINO JOSE SOARES DE SOUZA.

(*Inclosure 3.*)—*Mr. Hudson to Senhor Paulino de Souza.*

Rio de Janeiro, January 30, 1851.

THE Undersigned, &c., has received the note which his Excellency Senhor Paulino J. S. de Souza addressed to him on the 28th instant, in reply to a note of the Undersigned of the 15th instant, in which the Undersigned, by instruction of his Government, required that the Imperial Government should give orders that the Imperial forts should not fire upon Her Majesty's ships when engaged in the suppression of Slave Trade.

And as the Undersigned perceives that his Excellency Senhor Paulino Jozé Soares de Souza declines to give such orders, the Undersigned desires to urge seriously upon the attention of the Imperial Government the necessity of taking effectual measures for preventing piratical attacks upon Her Majesty's officers and men while engaged, as at Guarapari and Paranaguá, in suppressing Slave Trade on the coast of this empire.

And it is the duty of the Undersigned to state to the Imperial Government, that if these attacks lead to the infliction of any signal retributive calamity on any Brazilian town from which such piratical attacks shall have been made, the responsibility thereof will rest upon the Imperial Government, whose tacit permission of such outrageous proceedings will have been the real cause of any evil which may befall any part of the Brazilian population.

The Undersigned, &c.

Senhor de Souza.

JAMES HUDSON.

No. 187.—Mr. Hudson to Viscount Palmerston.—(Rec. March 14.)

MY LORD,

Rio de Janeiro, February 11, 1851.

I HAVE the satisfaction of informing your Lordship that the Brazilian Government, immediately upon the receipt of the note which I conceived it to be my duty to address to the Minister for Foreign Affairs, acquainting his Excellency that the temporary suspension of the orders of the Rear-Admiral Commanding-in-chief Her Majesty's naval forces on this station, was at an end, dispatched the steamer *Don Affonso*, with a strong party of police, under the command of the Chief of Police of this province, to the neighbourhood of Cape Frio, where several barracoons for the reception of African slaves existed.

This police force landed at Rio Frio, where was situated one of the largest of these barracoons, of which they took possession, seizing the whole of the utensils, boats, slave-irons, naval stores, casks, and other matters used for the equipment of slave-vessels: They then placed a portion of their force in the buildings, and the main body proceeded to the other depôts and barracoons between

Cape Frio and Rio das Ostras, where they performed similar service.

I have the honour to inclose the copy of a letter which has been addressed to me by Captain Drake of Her Majesty's ship *Conflict*, who was a witness of these proceedings of the Brazilian police.

Your Lordship will be glad to learn that the best feeling was shown towards Captain Drake and his officers by the respectable inhabitants of Rio Frio, who have long suffered in silence the brutal conduct of the slave traders.

The owner of the large barracoön at Rio Frio fled upon hearing of the approach of the Brazilian police. I have, &c.

Viscount Palmerston, G.C.B.

JAMES HUDSON.

No. 189.—*Mr. Hudson to Viscount Palmerston.*—(Rec. March 14.)
MY LORD, *Rio de Janeiro, February 11, 1851.*

I HAVE the honour to report to your Lordship that the Brazilian war-steamer *Golfinho*, Commander Hoffsmith, left this port on the 31st ultimo, for the small Island of Marambaia, which lies at a short distance to the southward of this port, which is the property of that notorious receiver of slaves, named Joaquim Breves, and where it was reported that the *Destro* slaver had landed 700 African slaves.

The chief of police *ad interim* of this province, Senhor Bernardo de Azambuja, embarked on board the *Golfinho*, and upon arriving at Marambaia, found that the report was perfectly true, and that the slaves had been hidden by order of Breves in the thickets on the island. After a short search, 199 Africans were discovered, put on board the *Golfinho*, and were brought into this port on the 3rd instant.

I am informed that Breves was on the Island of Marambaia when the police force landed there, but by one of those extraordinary pieces of good fortune which usually attends principals in Slave Trade in this country, he is said not to have been discovered.

I have, &c.

Viscount Palmerston, G.C.B.

JAMES HUDSON.

No. 192.—*Mr. Hudson to Viscount Palmerston.*—(Rec. March 14.)
MY LORD, *Rio de Janeiro, February 11, 1851.*

WITH reference to my despatch of the 11th January, transmitting to your Lordship the copy of a note which I had addressed to the Brazilian Minister for Foreign Affairs, acquainting him with my reasons for putting an end to the temporary suspension of a part of the orders (for the suppression of Slave Trade) of the Rear-Admiral commanding Her Majesty's ships on this station, I have now the honour to inclose herewith to your Lordship a copy of the

"*Journal do Commercio*" of the 31st ultimo, in which is published the reply which Senhor Paulino de Souza, the Brazilian Minister for Foreign Affairs, has returned to my note.

Whether my note and the reply which Senhor Paulino has given to it be published at one or another time, I presume but little matters; but I think it right to call your Lordship's attention to the fact, that Senhor Paulino has thought proper to publish this correspondence, not in an official paper, but in a journal which has lately inserted in its columns correspondence, &c., directly sustaining and supporting Slave Trade.

I have also to remark to your Lordship, that if Senhor Paulino desired to inform his countrymen of the state of the relations between Great Britain and Brazil, in reference to the question of the suppression of Slave Trade, it appears to me that it would have been fairer, and certainly more dignified, if his Excellency had published the whole of the correspondence which has passed between this Legation and his Department since last July (at which period the arrangement was entered into between his Excellency and myself for the effectual repression of Slave Trade by the Brazilian Government), and had not selected those parts of a correspondence, the publication of which could not enlighten the Brazilian people as to the general merits of the case at issue, but could very powerfully serve the interests of the slave-dealers, by exciting hopes of resistance on the part of the existing Cabinet of Brazil to the just demands of Great Britain.

I have thought it necessary to take exception publicly to this proceeding of Senhor Paulino de Souza; your Lordship will determine as to the proper time to give to the world, to whom Senhor Paulino appeals with so much confidence, a relation of the correspondence which, since the date I refer to, has passed between Senhor Paulino and myself.

With regard, however, to this note of Senhor Paulino de Souza, I have the honour to remark that I do not see that his Excellency has disproved any of the facts which rendered it impossible for me longer to consent to a suspension of a part of Admiral Reynolds's orders in question.

The details which your Lordship will have found in another despatch of this date will prove that slave-ships were permitted for a long period to lie unmolested in Bahia.

The account contained in my other despatch of this date proves the existence of slave-barracoons in the vicinity of Rio.

The reports given in my annexed despatches of this date prove that the notorious slave-receiver Joaquim Breves is even yet occupied in receiving, on the Island of Marambaia, close to this capital, cargoes of slaves.

Your Lordship will have received from Her Majesty's Consul at Bahia a map (a copy of which Mr. Porter transmitted to me) showing the localities of the barracoons at Bahia; and your Lordship will learn, not without surprise, from this note of Senhor Paulino, that his Excellency altogether doubts the existence of such places.

The fitting of ships for Slave Trade is undoubtedly summarily checked, at all events in Rio, by the presentation to Senhor Paulino of my note of the 11th ultimo.

Besides the *Indigena* slaver, mentioned in that note, there were no less than 3 other slave-vessels in Rio harbour, which had shipped a part of their slave-fittings, the whole of which were landed immediately after the publication of my note; and the vessels are about to be engaged in licit trade.

Your Lordship will learn from Senhor Paulino's note, that the report is true that the Brazilian Government expects the Government of Liberia to pay for the transport of emancipados; but this is a question which I shall doubtless have yet to bring before your Lordship in another shape, and with which I will not deal now.

Your Lordship will find that the assertion is true which I ventured to make, that the process against Graça, the notorious slave-receiver of Manginhos, had been suspended; and Senhor Paulino gives as a reason, that there were 15 persons, besides Graça, to be tried by the Vice-Admiralty Court, as if the trial of this principal receiver of stolen men could not proceed at the same time with that of 15 others.

Her Majesty's Government, when they demand of Brazil the suppression of the Slave Trade, require naturally that it shall be suppressed on shore as well as on the high seas; and Senhor Paulino can hardly expect Her Majesty's Government to be satisfied while they know that troops of African slaves are paraded along the public high roads near this capital, with as much safety, certainty, and with as little attempt at concealment, as if they were Creoles.

This winking at a successful fraud is the most powerful incentive to a breach of the law which the rulers of this country can offer to the persons whom they declare to be pirates, but who do receive a very powerful protection when they have once landed their stolen men, women, and children.

Senhor Paulino complains that the legislation of Brazil was not sufficient to enable the Imperial Government to repress Slave Trade, and that I was hasty in putting an end to the temporary suspension of the Rear-Admiral's orders.

But his Excellency seems to forget that the real merit of the new Law of the 4th of September, 1850, is to be found in the provisions which it contains for the judgment of slave-ships by a Vice-Admiralty Court, and by its making Slave Trade piracy.

The Law of the 7th November, 1831, sufficed to punish the receivers of slaves, to prevent the fitting out of slave-ships, to close barracoons, to repress Slave Trade on shore, and to seize slave-ships at sea.

In the agreement which I concluded with Senhor Paulino, it was understood that both the Laws of the 7th November, 1831, and of 4th September, 1850, should be duly enforced; but Senhor Paulino states that it was merely a verbal agreement, and that nothing was "signed" by his Excellency and myself.

Your Lordship will remember that I had the honour, in my despatch of the 27th July last, to detail the agreement into which Senhor Paulino entered with myself.

The shape of that agreement, it appears to me, did not make it the less binding upon Senhor Paulino.

I laid before him the letter which I addressed to the Rear-Admiral, before its transmission to that officer. His Excellency requested me to leave it with him, in order that he might show it to the Emperor; he struck out with his own hand one passage in it (as may yet be seen in the original draft in the archives of this Legation); and he begged me to show him the Rear-Admiral's reply with as little delay as possible; and on my doing so, he formally engaged to, and declared that he would, carry out every part of the contents of that arrangement, letter, or agreement, which, in order that his Excellency and his colleagues might have full and sufficient time to act against Slave Trade and slave-traders, I consented to adopt.

Senhor Paulino takes exception to my denunciation of barracoons for the reception of Africans, and says, that as houses and other buildings serve for this purpose, it is not easy to apply the law to them; but the barracoons which I named to his Excellency have been for years past the regular deposits where illegally imported Africans were landed with as much ease and notoriety as legal cargoes of merchandise are discharged at the Custom-house of Rio de Janeiro.

His Excellency objects to my bringing forward the case of the *Amelia*, seized at Pernambuco, for importing Africans coastwise from Bahia.

I adduced this case in support of the notorious fact that the authorities of Bahia have long been in the habit of granting passports to African slaves, who are mixed up with a lot of Creoles, and then transported and hawked for sale along the coast of Brazil. This practice I knew was customary at the time I addressed to Senhor Paulino my note of the 11th ultimo. I had often called his attention to it, but I could never learn that efficient steps had been taken to check it.

I was constantly told that measures "would be"—"were about to be"—taken to correct that and other Slave Trade abuses.

In conclusion, Senhor Paulino declares that the note which I addressed to his Excellency on the 11th ultimo consists "of pretexts to cover violence and injustice."

Your Lordship will remark that the violence and injustice to the unhappy, unprotected Africans, pressed to death by hundreds at a time, as your Lordship will learn from another despatch of this date, murdered in cold blood, as on board the *Santa Cruz*, hunted, tortured, and at last worked to death under the whip, never seem to enter his Excellency's mind. He rather speaks with a species of awe of the colossal fortunes of a handful of adventurers, who, distinguished by their vulgar ostentation, are permitted to set the laws at defiance.

In the last paragraph of this note, Senhor Paulino charges Her Majesty's Government with a desire to accumulate fresh difficulties on the Government of Brazil.

In acknowledging the receipt of Senhor Paulino's note, I have told his Excellency that, if those difficulties are to arise out of the capture of those floating shambles, the slave-ships in Brazilian waters, those difficulties will cease when the Brazilian Government has properly performed its duty by preventing the reception, harbouring, and fitting of slave-ships in Brazilian waters.

I have, &c.

Viscount Palmerston, G.C.B.

JAMES HUDSON.

No. 195.—Viscount Palmerston to Mr. Hudson.

SIR,

Foreign Office, March 21, 1851.

I HAVE received and laid before the Queen your despatch of the 11th of January last, inclosing a copy of a note which you addressed on that day to Senhor Paulino, notifying to him that the temporary suspension of Rear-Admiral Reynolds' orders to seize slave-vessels within the territorial waters of Brazil was at an end. And I have the satisfaction of informing you that Her Majesty's Government entirely approve the course which you have pursued in this matter, and the note which you addressed to the Brazilian Minister thereupon.

I am, &c.

J. Hudson, Esq.

PALMERSTON.

No. 196.—Viscount Palmerston to Mr. Hudson.

SIR,

Foreign Office, March 29, 1851.

I HAVE received and laid before the Queen your despatch of the 11th of February last; and I have to state to you that Her Majesty's Government approve of the note, a copy of which accompanied that

despatch, which you addressed to Senhor Paulino on the 27th of January last, urging the destruction of the slave-trading establishments which are kept up on the coast of Brazil, and pressing for the prosecution of their owners. I am, &c.

J. Hudson, Esq.

PALMERSTON.

No. 198.—Viscount Palmerston to Mr. Hudson.

SIR,

Foreign Office, March 29, 1851.

I HAVE received and laid before the Queen your despatch of the 11th of February last; and I have to acquaint you that I approve of the note, a copy of which is inclosed in that despatch, which you addressed to Senhor Paulino on the 28th of January last, suggesting to the Brazilian Government the expediency of ordering the foreign slave-traders of Rio de Janeiro and Bahia to quit the Empire of Brazil. I am, &c.

J. Hudson, Esq.

PALMERSTON.

No. 200.—Viscount Palmerston to Mr. Hudson.

SIR,

Foreign Office, March 29, 1851.

I HAVE received and laid before the Queen your despatch of the 11th of February last, inclosing a copy of a note, dated the 27th of January, which you addressed to Senhor Paulino, and in which you signified to him the acquiescence of Her Majesty's Government in the proposition with respect to the negroes emancipated by the Mixed Commission at Rio de Janeiro, which he made to you in the autumn of last year, namely, that such of them as desired to go to a British colony should be handed over to Her Majesty's Legation at Rio de Janeiro, and such of them as wished to return to Africa, should be sent by the Brazilian Government to Liberia.

I have now to inform you that Her Majesty's Government are of opinion that it is desirable that the benevolent intentions of the 2 Governments with respect to these negroes should be formally recorded in a Protocol, and you will accordingly invite Senhor Paulino to sign conjointly with you a Protocol of Conference to the effect of the arrangement agreed upon. I am, &c.

J. Hudson, Esq.

PALMERSTON.

No. 202.—Viscount Palmerston to Mr. Hudson.

SIR,

Foreign Office, March 29, 1851.

I HAVE received and laid before the Queen your despatch of the 11th of February last, inclosing a copy and translation of a note dated the 31st of January last, from Senhor Paulino, in which that Minister states his reasons for declining to make the apology demanded by Her Majesty's Government for the attack made upon

Her Majesty's ship *Cormorant* by the fort at Paranaguá in the month of July last; but adds that prosecutions had been instituted against the authorities of Paranaguá for their connivance in Slave Trade; and that the Commandant of the Fort of Paranaguá was to be brought to a court-martial, for permitting the fort to be taken possession of by the masters and crews of the slave-vessels.

I have to instruct you to state to Senhor Paulino, in reply, that as the Brazilian Government have taken steps to punish the persons who were the actors and connivers in the piratical outrage which was committed upon the *Cormorant*, Her Majesty's Government will not press any further demand in regard to that scandalous affair.

But with respect to the general principles of international right to which Senhor Paulino refers in his note, Her Majesty's Government have to observe, in the first place, that the Brazilian Government cannot appeal to the Treaty and Regulations of 1817, which they themselves have by their own choice and declaration put an end to; nor to drafts of Treaties subsequently proposed and which they have refused to agree to. And in the second place, Her Majesty's Government beg to remark, that they admit that, under ordinary circumstances, the armed force, whether naval or military, of one country has no right to exercise jurisdiction or authority within the territorial limits by sea or by land of another country. But in the present case, the flagrant, notorious, and long-continued violation by the Government of Brazil, of the solemn engagements of its Treaty with Great Britain, justifies proceedings on the part of the British Government towards Brazil, which are, no doubt, a departure from the ordinary course of things between friendly nations; and if the Government of Brazil feels that these proceedings are, to a certain degree, derogatory to the dignity of the Brazilian Crown, that Government ought to remember that the necessity of having recourse to those proceedings has been imposed upon Great Britain by the conduct of the Brazilian Government itself; and that there is nothing that can be so derogatory to the dignity of an independent Government, as to remain for a great number of years callous to the undeniable reproach of openly and systematically setting at naught the treaty engagements which it has contracted towards a friendly Power. Her Majesty's Government would further remark, that in the present case, such a violation of treaty engagements has been rendered still more blameable, because it has at the same time been a violation of the common principles of humanity and of the fundamental precepts of the Christian religion.

I am, &c.

J. Hudson, Esq.

PALMERSTON.

No. 203.—Viscount Palmerston to Mr. Hudson.

SIR,

Foreign Office, March 29, 1851.

I HAVE received and laid before the Queen your despatch of the 11th of February last, reporting the refusal of the Brazilian Government to accede to the demand which you made to them on behalf of Her Majesty's Government, that orders should be issued to the Brazilian forts not upon any account whatever to fire upon British ships of war engaged in the suppression of the Slave Trade; and inclosing a copy of a note dated the 30th of January which you addressed to Senhor Paulino in consequence of that refusal.

I have the satisfaction of informing you that Her Majesty's Government entirely approve of that note.

I am, &c.

J. Hudson, Esq.

PALMERSTON.

No. 204.—Viscount Palmerston to Mr. Hudson.

SIR,

Foreign Office, March 29, 1851.

I HAVE received and laid before the Queen your despatch of the 11th ultimo, and its inclosure, reporting the proceedings taken by the Brazilian police against the slave-trading establishments at Cape Frio, and between that place and the Rio das Ostras.

I have in reply to state to you, that these proceedings appear to Her Majesty's Government to be satisfactory, as far as they go, but that it is important to ascertain whether the Brazilian Government are not holding these houses and barracoons in trust for the slave-dealers, with the intention of restoring them to the former owners at a fitting opportunity.

Until these buildings are wholly destroyed and levelled with the ground, there will necessarily be suspicion of some collusion between the Brazilian Government and the slave-traders concerned in these establishments; and I have accordingly to instruct you to urge the Brazilian Government entirely to destroy these houses and barracoons.

I am, &c.

J. Hudson, Esq.

PALMERSTON.

No. 205.—Viscount Palmerston to Mr. Hudson.

SIR,

Foreign Office, March 29, 1851.

I HAVE received and laid before the Queen your despatch of the 11th ultimo and its inclosures; and I have the satisfaction of acquainting you that Her Majesty's Government approve the note which, in accordance with a suggestion made to you by Rear-Admiral Reynolds, you addressed on the 31st of January last to Senhor Paulino, recommending that slave-vessels condemned by Brazilian courts of law should be broken up, if not purchased for the service of the Brazilian Crown.

I am, &c.

J. Hudson, Esq.

PALMERSTON.

No. 206.—*Viscount Palmerston to Mr. Hudson.*

SIR,

Foreign Office, March 29, 1851.

I HAVE received and laid before the Queen your despatch of the 11th ultimo, inclosing a copy and translation of a note dated the 28th of January, which was addressed to you by Senhor Paulino, in reply to the note which you sent in to that Minister on the 11th of January, notifying to him that the search and seizure of slave-vessels within Brazilian waters, which had been for a time suspended, was about to be renewed by Her Majesty's cruisers.

I have now to instruct you to state to Senhor Paulino, that Her Majesty's Government have read with due attention his note of the 28th of January; that the general result of the contents of that note appear to Her Majesty's Government to be, that Senhor Paulino admits that the Convention of 1826 binds the Brazilian Government to put an end to Brazilian Slave Trade: and that he confesses that from 1826 to 1850, during a long period of 24 years, no effectual steps whatever were taken by the Brazilian Government to carry that engagement into effect; that during that long period enormous quantities of unfortunate Africans were annually brought into Brazil to be there doomed to the miseries of slavery; and that with the knowledge, and therefore with the connivance of the Brazilian Government, colossal fortunes were made by this open and permitted violation of the Treaties of Brazil, and by the atrocious commission of that crime, which the Crown of Brazil had justly stigmatised as piracy, and had bound itself to punish as such.

M. Paulino in his note acknowledges that up to the year 1850 the British Government had mainly relied upon appeals to the good faith and honour of the Government of Brazil, and had abstained from any active interference with this system of piracy within the Brazilian waters. But in 1850, the British Government, finding that those appeals had produced no practical results, resorted to active operations by the naval forces of Great Britain within the Brazilian waters.

The result of this change of system was a change of conduct on the part of the Brazilian Government, and a law and regulations which ought to have been established and put in force more than 20 years before, were at last promulgated.

Confiding in the altered intentions thus apparently manifested by the Brazilian Government, Her Majesty's Minister at Rio de Janeiro, and Her Majesty's Admiral commanding on the Brazilian coast, consented to suspend for a time some part of those active operations on the coast of Brazil, which, in pursuance of orders from Her Majesty's Government, had previously been carried on. But that suspension of active measures was immediately followed by a suspension of the measures against Slave Trade, which, under the

pressure of the activity of the squadron, the Brazilian Government had begun to enforce.

You then proposed to the Brazilian Government an arrangement for joint operations, to be concerted by British and Brazilian officers, for the accomplishment of a common purpose. This arrangement was at first agreed to by Senhor Paulino, and then declined by him; was a second time agreed to, and a second time declined; and then, as you found that the Brazilian Government would not act efficiently, either alone or in co-operation with Great Britain, you very properly felt it your duty to put an end to that temporary suspension which you had consented to make, of the measures which had been ordered by Her Majesty's Government.

You will state to Senhor Paulino, that the decision thus taken by you has been approved by Her Majesty's Government. And you will further say, that experience has shown that no effectual measures for the extinction of the Brazilian Slave Trade can be looked for from the separate and spontaneous action of the Government of Brazil.

It is true that there are now in force in Brazil, laws and regulations which, if duly and vigorously carried into execution, would in a very short space of time utterly extinguish the Slave Trade; and it is also true that the Brazilian Government makes the strongest declarations, and gives the most positive assurances of its determination to carry those laws and regulations into effect; but some spell, stronger than their will, seems ever to paralyse their efforts. They cannot see things which all other persons see, they are not able to know things which are known to every one else in the country; and when they receive from a foreign Legation, or from a foreign Consul, or from a foreign Naval Officer, information which they, as the Government of the country, must have infinitely better and surer means of obtaining; and when, in consequence of such information, slave-trading vessels are searched, and slave-barracoons are inspected, it somehow or other always happens that these proceedings are so delayed and so conducted, that the slave-traders have ample time to remove from their vessels all the fittings which constitute indications of Slave Trade, and to drive away from the barracoons the negroes who had therein been collected.

Moreover, trials against slave-traders are so conducted that the great culprits invariably escape; and while men of humble station are sent out of the country in virtue of the power vested in the Executive Government, the great and notorious offenders, those men who are described by Senhor Paulino as being well known to have amassed colossal fortunes by this infamous crime, are permitted to remain unmolested in Brazil, and to go on with impunity demoralizing the Brazilian people, undermining the real and true resources of the

country, and casting upon the character of an empire to which they do not belong, a degrading and disgraceful stain.

Under these circumstances, the Brazilian Government cannot be surprised if Her Majesty's Government resolve that there shall be no further suspension or relaxation of the active operations of Her Majesty's ships of war on the coast of Brazil, until the object to the accomplishment of which those operations are directed shall have been attained; if, therefore, the Brazilian Government wishes to see those operations cease, it will henceforward know how it can accomplish its wish, and it will be aware that its desire will be gratified whenever the Brazilian Slave Trade shall have been brought completely to an end.

You will read this despatch to Senhor Paulino and give him a copy of it.

I am, &c.

J. Hudson, Esq.

PALMERSTON.

BRAZIL (BAHIA).

CONSULAR.

No. 209.—Viscount Palmerston to Consul Porter.

SIR,

Foreign Office, May 15, 1850.

I HAVE to desire that in future, whenever any well-founded information respecting the movements of slave-vessels may come to your knowledge, you will immediately communicate the same to the senior officer of Her Majesty's ships which may be at or in the neighbourhood of Bahia, as well as to the Commander-in-chief of Her Majesty's naval forces on the Brazil station.

I am, &c.

E. Porter, Esq.

PALMERSTON.

[Note.—This circular was sent to Her Majesty's Consuls at Maranhão, Pará, Paraíba, Pernambuco, Rio de Janeiro, Rio Grande do Sul, and at the Havana, St. Jago de Cuba, and Porto Rico.]

No. 211.—Consul Porter to Viscount Palmerston.—(Rec. July 9.)

MY LORD,

Bahia, May 13, 1850.

I HAVE the honour to lay before your Lordship the inclosed copy of a despatch addressed by me to Commodore Fanshawe, reporting the departure from this port for the coast of Africa of the Brazilian

slaver *Segunda Melvira*. It is said that this vessel has gone on a piratical expedition.

I regret much to state that Slave Trade is still carried on here with great success, upwards of 1,100 slaves having been landed during the past month, consisting principally of Nagos, Ouças, Taipas, and Gêges; the greater portion being brought hither from the ports of Onim and Ajuda.

I have, &c.

Viscount Palmerston, G.C.B.

EDWARD PORTER.

(Inclosure.)—Consul Porter to Commodore Fanshawe.

SIR,

Bahia, May 4, 1850.

I HAVE the honour to inform you that the brig *Segunda Melvira*, 255 tons, sailed from this in ballast on the 14th of February last, under Brazilian colours, bound to the coast of Africa, for the purpose of slave traffic. The sailing master is a Frenchman, the actual captain a Spaniard, calling himself a subject of The United States when it suits his convenience; the crew consists of 40 men, Portuguese, Spaniards, and Brazilians, and she had artillery on board.

She arrived at this port on the 30th of September, 1849, as the brig *Brazil*, under American colours, made a fictitious sale, and left as a Brazilian vessel. There is a report here that she has been taken, which I trust may be the case, as they evidently intended to act as pirates.

I have, &c.

Commodore Fanshawe.

EDWARD PORTER.

No. 215.—Viscount Palmerston to Consul Porter.

SIR,

(Circular.)

Foreign Office, October 4, 1850.

I HAVE to desire that you will fill up the inclosed form of return, so far as you will be able to do so; and that you will in future transmit to me at the conclusion of each half-year, viz., on the 30th of June and the 31st of December, a return stating the price of each class and sex of slaves, both in Brazilian currency and in sterling money, according to the current rate of exchange at the date of such returns.

I am, &c.

E. Porter, Esq.

PALMERSTON.

[This circular was also sent to Her Majesty's Consuls at Maranhão, Pará, Paraíba, Pernambuco, Rio de Janeiro, and Rio Grande do Sul.]

(Inclosure).—Paper showing the Price of Slaves in the Province of Bahia, Brazil, at various periods, from 1825 to 1850 inclusive, so far as the same can be ascertained by Her Majesty's Consul at Bahia.

PRICE OF SLAVES AT DIFFERENT PERIODS.															
Class of Slaves.	1825.	1830.	1832.	1834.	1836.	1838.	1840.	1842.	1844.	1845.	1846.	1847.	1848.	1849.	1850.
<i>Agricultural.</i>															
Males	000\$000														
Females	£00 0s. 0d.														
<i>Mining.</i>															
Males															
Females															
<i>Domestic.</i>															
Males															
Females															
<i>Newly-Imported.</i>															
Males															
Females															
<i>Bahia,</i>															

No. 217.—*Consul Porter to Viscount Palmerston.*—(Rec. Nov. 5.)

MY LORD,

Bahia, September 7, 1850.

I HAVE the honour to transmit herewith to your Lordship a copy of an order issued by the President of this province desiring that the forts and batteries be placed in an efficient state, to repel any attempt which may be made to capture vessels anchored under their protection.

It is reported that these orders have been issued by the Central Government in consequence of the capture of slave-vessels by Her Majesty's steamer *Rifleman*, at Paranaguá, in the month of June last.

I have, &c.

Viscount Palmerston, G.C.B.

EDWARD PORTER.

No. 225.—*Consul Porter to Visc^t. Palmerston.*—(Rec. Feb. 3, 1851.)

MY LORD,

Bahia, November 18, 1850.

IN conformity with a decree issued by the authorities of the province, with the view, it is said, of encouraging national labour, all African boatmen have been prohibited from plying at the quays and public entrances of the city. This service henceforward is to be performed by Brazilians or free Creoles.

About 750 Africans are thus thrown out of employ, many of whom had obtained emancipation by paying large sums to their owners.

The Brazilians consider that this measure will gradually induce the white population to engage in out-door labour, to which they have hitherto shown the greatest aversion.

I have the honour to transmit to your Lordship a copy of the orders relating thereto, issued by the commission appointed by his Excellency the President of the province.

I have, &c.

Viscount Palmerston, G.C.B.

EDWARD PORTER.

(Inclosure.)—*Order of the Brazilian Authorities prohibiting African Boatmen from plying at the Quays of Bahia.*

(Translation.)

Bahia, November 2, 1850.

THE Commission appointed by his Excellency the President of the province to mark out the places in which the service of boats manned by free people, not Africans, is to be performed, having named 3 points for such purpose, have now to declare that the boats manned by free people having occupied all the quays on the 1st instant, in consequence of the boats manned by Africans having deserted them, from henceforward such are prohibited to go alongside the quays of this city, with the exception only of those which belong to vessels at anchor in port, to lighters, manufactories, or persons

resident in the outskirts of this city occupied solely in the conveyance of persons or goods belonging to the said establishments, remaining merely alongside the quays the time requisite for the embarking or disembarking of such persons and goods for which the respective proprietors must obtain a licence from the Commission, so that they may not be impeded in this private occupation, it being understood that the boats referred to may not be offered for hire in any manner, which shall only belong to the boats manned by free people.

The Members of the Commission,)

FRANCISCO IZEQUIEL MEIRA.

JOSE ANTONIO DA COSTA GUIMARAES.

MANOEL BELENS DE LIMA.

LAOA DA COSTA, Junior.

No. 226.—*Consul Porter to Visc^t. Palmerston.*—(Rec. Mar. 14, 1851.)

MY LORD,

Bahia, December 31, 1850.

IN obedience to your Lordship's commands, contained in Foreign Office Circular of 4th October last, I have the honour to transmit herewith a return showing the prices of slaves in this province at the periods specified, so far as the same can be ascertained; and I shall have the honour to forward to your Lordship at the conclusion of each half year a similar return. I have, &c.

Viscount Palmerston, G.C.B.

EDWARD PORTER.

(*Inclosure.*)—See Page 430.

No. 227.—*Consul Porter to Visc^t. Palmerston.*—(Rec. Mar. 14, 1851.)

MY LORD,

Bahia, December 31, 1850.

I HAVE the honour to transmit the accompanying returns, Nos. 1 and 2, of the trade between this port and the coast of Africa, for the quarter ending to-day, together with comparative statements of the number of vessels that have left for and returned from that coast during the years 1847 to 1850; also the number of slaves imported into this province during the same period.

The arrival here of Her Majesty's steamers *Cormorant* and *Sharpshooter*, in the beginning of October last, checked the importation of slaves in a very great degree, no slaves having been landed since the 6th ultimo; but should these steamers be withdrawn, I much fear this detestable Trade would again be carried on with the greatest avidity.

I have, &c.

Viscount Palmerston, G.C.B.

EDWARD PORTER.

(Inclosure in No. 226.)—Paper showing the Price of Slaves in the Province of Bahia, Brazil, at various periods from 1825 to 1850 inclusive, as far as the same can be ascertained by Her Majesty's Consul at Bahia.

PRICE OF SLAVES AT DIFFERENT PERIODS.

	1825.	1830.	1832.	1834.	1836.	1838.	1840.	1842.	1844.	1845.	1846.	1847.	1848.	1849.	1850.
<i>Agricultural.</i>															
Males ..	0008000 £00 0s. 0d.														
Females ..															
<i>Mining.</i>															
Males ..															
Females ..															
<i>Domestic.</i>															
Males ..															
Females ..															
<i>Newly Imported.</i>															
Males ..	Milreis. 100 to 220 £ s. d. 44 6 8 to 51 6 8	Milreis. 350 to 400 £ s. d. 45 18 9 to 52 10 0	Milreis. 350 to 400 £ s. d. 47 7 11 to 54 3 4	Milreis. 300 to 350 £ s. d. 38 15 0 to 45 4 2	Milreis. 350 to 400 £ s. d. 47 7 11 to 54 3 4	Milreis. 300 to 350 £ s. d. 37 10 0 to 43 15 0	Milreis. 330 to 300 £ s. d. 48 9 0 to 57 10 0	Milreis. 350 to 400 £ s. d. 46 8 8 to 46 13 4	Milreis. 400 to 450 £ s. d. 42 1 8 to 47 6 10	Milreis. 450 to 500 £ s. d. 48 15 0 to 54 3 4	Milreis. 450 to 500 £ s. d. 50 3 1 to 55 14 7	Milreis. 420 to 480 £ s. d. 48 2 6 to 55 0 0	Milreis. 420 to 500 £ s. d. 44 12 6 to 53 2 6	Milreis. 350 to 400 £ s. d. 38 5 7 to 43 15 0	Milreis. 380 to 450 £ s. d. 44 14 7 to 52 19 4
Females ..	Milreis. 100 to 180 £ s. d. 37 6 8 to 42 0 0	Milreis. 300 to 350 £ s. d. 39 7 6 to 45 18 9	Milreis. 300 to 350 £ s. d. 40 12 6 to 47 7 11	Milreis. 250 to 300 £ s. d. 32 5 10 to 38 15 0	Milreis. 300 to 350 £ s. d. 40 12 6 to 47 7 11	Milreis. 300 to 350 £ s. d. 37 10 0 to 43 15 0	Milreis. 300 to 350 £ s. d. 39 7 6 to 45 18 9	Milreis. 300 to 350 £ s. d. 35 0 0 to 40 16 8	Milreis. 350 to 400 £ s. d. 36 16 5 to 42 1 8	Milreis. 400 to 470 £ s. d. 43 6 8 to 50 18 4	Milreis. 400 to 470 £ s. d. 44 11 8 to 52 7 8	Milreis. 350 to 400 £ s. d. 40 2 1 to 45 16 8	Milreis. 400 to 420 £ s. d. 42 10 0 to 44 12 6	Milreis. 300 to 380 £ s. d. 32 16 3 to 39 7 6	Milreis. 350 to 450 £ s. d. 38 3 11 to 44 14 7

Only newly-imported Slaves are purchased for Agricultural purposes. No return of prices obtainable.
The same remark applies to Slaves bought for the Diamond Mines, which on arrival there are said to be worth 35 per cent. above their first cost.
Newly-imported Slaves are generally taken for Domestic Servants, and after being taught, are seldom disposed of, except in cases of death of their owners; they are then worth from 20 to 50 per cent. more than their original cost as new Slaves, according to their abilities.

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N.B.—Prices of Slaves at different periods, calculated at the average exchange of each year.

Bahia, December, 31, 1850.

EDWARD PORTER, Consul.

(Inclosure 1 in No. 227.)—Statement of Vessels which have sailed from Bahia for Africa during the years 1847 to 1850.

Nationality.	1847.	1848.	1849.	1850.	Totals.
Sardinian	22	27	26	24	99
French	7	11	12	7	37
Brazilian	32	45	32	24	133
American	6	8	6	2	22
Swedish	2	..	..	..	2
Spanish	1	1	..	..	2
Portuguese	2	1	2	4	9
Danish	1	..	..	..	1
Bremen	1	..	..	..	1
British .. ..	..	..	..	1	1
Totals	74	93	78	62	307

EDWARD PORTER.

British Consulate, Bahia, December 31, 1850.

(Inclosure 2.)—Statement of Vessels which have entered Bahia from Africa during the years 1847 to 1850.

Nationality.	1847.	1848.	1849.	1850.	Totals.
Sardinian	22	22	19	18	81
French	7	11	11	7	36
Brazilian	26	27	25	26	104
American	4	6	5	2	17
Portuguese	1	1	..	3	5
Spanish	1	2	..	..	3
Swedish	3	..	..	..	3
Hamburgese	1	1	..	1	3
English .. ..	..	2	4	1	7
Nation unknown .. ..	..	..	..	1	1
Totals	65	72	64	59	260

EDWARD PORTER.

British Consulate, Bahia, December 31, 1850.

(Inclosure 3.)—Statement of the number of Slaves imported into the Province of Bahia during the years 1847 to 1850.

Nationality of vessels by which imported.	1847.		1848.		1849.		1850.		Totals.	
	Vessels.	Slaves.	Vessels.	Slaves.	Vessels.	Slaves.	Vessels.	Slaves.	Vessels.	Slaves.
Brazilian	19	9,614	20	6,919	21	8,081	27	9,451	87	34,066
Spanish	1	300	2	380	..	..	..	..	3	680
American	1	150	..	..	..	..	..	..	1	150
Totals	21	10,664	21	7,299	21	8,081	27	9,451	91	34,895

EDWARD PORTER.

British Consulate, Bahia, December 31, 1850.

No. 228.—*Consul Porter to Viscount Palmerston.*—(Rec. March 14.)

MY LORD,

Bahia, February 13, 1851.

I HAVE the honour to transmit the accompanying correspondence, in order that your Lordship may be fully informed of occurrences which have recently taken place here, in regard to Slave Trade, and of measures which have been adopted by the authorities for its more effectual suppression.

It affords me very great pleasure in being able to state that the President and authorities appear at last to be sincere in their endeavours to carry out the spirit of the existing Treaty for the abolition of this detestable Trade, doubtless incited thereto by stringent orders from the Imperial Government, which reached this Presidency on the 22nd ultimo.

The immediate taking into the Brazilian Government service 2 noted slave-vessels, the *Maria até ver* and *Constante*, now destined, I am informed, to cruize off this port in charge of a naval officer; and orders issued by the President to prevent the departure of any vessel intended for Slave Trade; also the seizure and condemnation of the noted slave-brig *Encantador*, are measures which have caused great consternation among slave-dealers, who have not for some time past ventured to fit out any vessels for this traffic.

There can be no doubt that these favourable results have in a great degree been brought about by the exertions of the Commanders of Her Majesty's steamers *Cormorant* and *Sharpshooter*, and show the necessity of having an effective steam force on this station.

At an interview with the President yesterday, his Excellency assured me that the Portuguese vessels, suspected of being intended for Slave Traffic, shall leave this port with legal cargoes, and that every exertion will be made by the authorities to suppress Slave Trade within this province.

The excitement which prevailed amongst the populace of this city a few days back is fast subsiding, and consequently the English residents are more at ease.

I have, &c.

Viscount Palmerston, G.C.B.

EDWARD PORTER.

No. 230.—*Consul Porter to Viscount Palmerston.*—(Rec. March 14.)

MY LORD,

Bahia, February 15, 1851.

IN compliance with the instructions received this day from Her Majesty's Envoy at Rio de Janeiro, I have the honour to transmit herewith to your Lordship a return of the number of slaves landed at Bahia during the years specified therein.

I have, &c.

Viscount Palmerston, G.C.B.

EDWARD PORTER.

(Inclosure.)—Return of African Slaves landed in the Consular District of Bahia during the years

	1847.	1848.	1849.	1850.
First 6 months	4,275	4,460	4,528	4,292
Second 6 months	5,789	2,839	3,553	5,159
Total	10,064	7,299	8,081	9,451

EDWARD PORTER.

British Consulate, Bahia, February 15, 1851.

No. 231.—Viscount Palmerston to Consul Porter.

SIR, Foreign Office, March 29, 1851.

I HAVE received from Her Majesty's Minister at Rio de Janeiro a copy of the correspondence which passed in the month of January last between you and certain British merchants of Bahia, and with Captain Schomberg of Her Majesty's steam-vessel *Cormorant*, relative to the apprehensions which those British merchants entertained in consequence of the circulation of a report that the *Cormorant* was about to make forcible seizure of the slave-vessels lying in the harbour of Bahia.

I have in reply to instruct you to warn such of the British merchants [at Bahia as you may have opportunities of communicating with, against allowing themselves to be made use of by the slave-traders, who endeavour, by inspiring unfounded alarms, to defeat the action of Her Majesty's cruisers in the suppression of the Brazilian Slave Trade.

I am, &c.

E. Porter, Esq.

PALMERSTON.

BRAZIL (PARAIBA).

CONSULAR.

No. 240.—Consul Newcomen to Viscount Palmerston.—(Rec. Mar. 31.)

MY LORD, Paraiba, February 15, 1851.

I HAVE to report that during the year ended December 31, 1850, no vessels sailed for the coast of Africa from any port within my Consular district, nor did any arrive from thence within that period.

In my despatch of September 5, 1850, I duly reported the seizure by the authorities of this city, of the Brazilian schooner *Herminia*, reporting herself from Bahia, *viâ* Maccio, with 28 slaves on board. I also reported that 7 of these slaves, having been proved to be legally

held, were handed over to the respective consignee, while the remaining 21, being, in the opinion of the police authorities, Bozal negroes, were declared to be free.

This opinion having been appealed from by the owners, on the ground of the incompetency of the Court, the schooner, together with the master, the crew, and the said 21 Africans, was sent, in charge of the *Urania* steamer of war, for adjudication in Pernambuco, where I have no doubt the decision of the authorities here will be confirmed; the matter will now, however, be reported upon by Her Majesty's Consul at that port.

In addition to the above-mentioned transaction, I have to state that there were about 80 contraband slaves introduced into this province from Pernambuco, about half of whom were for field-labour and the remainder for domestic purposes.

To the Brazilian legislation on the subject during the last session, with which your Lordship is well acquainted, I need not allude; I may add, however, that between Her Majesty's cruizers and the pressure from without by the Liberal party, the Government appear convinced that the time has at length arrived when they must act up to their treaties and professions on the subject, in a *bonâ fide* manner.

Annexed is a note of the exports from this province within the year of such staple articles as are produced wholly or in part by slave-labour; the relative proportion of free labour employed in the production thereof being gradually on the increase.

Exports.			Number of Bags.							
				<i>Tons.</i>	<i>cwts.</i>	<i>qrs.</i>	<i>lbs.</i>	£	s.	d.
Cotton..	..	..	25,024	2,156	19	1	12	114,890	15	3
Sugar ..	..	..	47,619	3,463	18	0	24	53,575	0	0
Total value of Exports			..	..	£168,466	13s.	2d.			

I have, &c.

Viscount Palmerston, G.C.B.

BEVERLEY NEWCOMEN.

BRAZIL (PERNAMBUCO).

CONSULAR.

No. 247.—Viscount Palmerston to Acting Consul Christophers.

SIR,

Foreign Office, October 19, 1850.

I HAVE received your despatch of the 26th of August last, on the state of the legal proceedings pending at Pernambuco with respect

to the seizure of certain slaves imported into that place by Senhor Novaes, and the legal proceedings pending at Paraiba with respect to the seizure of the *Herminia*, and 28 slaves imported by her into that place; and I have to desire that you will in future represent all matters of this nature to Her Majesty's Minister at Rio de Janeiro as well as to me.

I am, &c.

H. Christophers, Esq.

PALMERSTON.

*No. 255.—Acting Consul Christophers to Viscount Palmerston.
(Received January 21, 1851.)*

MY LORD,

Pernambuco, December 21, 1850.

I REGRET to have to inform your Lordship, that the Slave Trade has extended into this province again, some hundreds having been landed near the Cape, and more are expected, driven away from the south, most likely, for fear of our cruizers, and finding aid from the local authorities now in power near the Cape, &c.

I am in hopes the President may make some apprehensions or discoveries, for he has taken measures to that effect by land and by sea.

I have, &c.

Viscount Palmerston, G.C.B.

HY. CHRISTOPHERS.

P.S.—I address Mr. Hudson to-day on this subject, and I should like to see a British cruiser off Cape St. Augustine occasionally, and between that and Cape Jaragua.

*No. 256.—Viscount Palmerston to Acting Consul Christophers.
SIR,*

Foreign Office, February 19, 1851.

I HAVE received your despatch of the 16th of December last, stating that you had given certificates to the Brazilian brig *Echo*, bound to Loanda; and that you had since learnt that the *Echo* had been captured by a British cruiser; but you have not stated what was the nature of the certificates which you gave to that vessel, and I have accordingly to instruct you to do so without delay.

I regret to have to inform you that you have exceeded your duty as Acting British Consul, in giving to any Brazilian vessel, no matter on whose oaths or depositions, any certificates whatever; and you will accordingly abstain in future from doing so in your capacity of Her Majesty's Acting Consul.

I have further to acquaint you that Her Majesty's Government have learnt that a Brazilian brig called the *Echo* (which is probably the vessel you allude to) of 250 tons, with a crew of 16 persons, was captured as a slave-trader on the 27th of September last in 11° 3' south and 12° 45' east, by Her Majesty's steamer *Rattler*; but they have not yet learnt to what Court she was sent for adjudication, nor the result of the trial.

I am, &c.

H. Christophers, Esq.

PALMERSTON.

*No. 257.—Acting Consul Christophers to Viscount Palmerston.
(Received March 6.)*

(Extract.)

Pernambuco, January 29, 1851

I HAVE the honour to inform your Lordship that a cargo of slaves has lately been landed to the south of the Cape, said to belong to that notorious slaver, Gabriel Antonio; and the blacks have been freely distributed, it is understood.

I do not learn that the measures of the President have been successful either to stop the trade or punish the offenders. It is reported that the very troops and the judge sent down to prevent the crime were bribed or innocently led astray.

From Mr. Vice-Consul Burnett I learn that José Barros de Pimentel, the delegate of police for the district of Porto de Pedras, near Porte Calvo, had been at last dismissed by the President, Dr. Jozé Bento, but not before he had possessed himself of 30 or 40 good blacks, and the matter became too notorious, owing to his publicly selling some of them.

It was only a few weeks before, that a judicial investigation took place on this same Jozé Barros de Pimentel, at his place of residence, the Paso de Camaragibe, for the murder of the late Andrew Harvey, and fully acquitted was this Pimentel by the chief of police sent from Maceio; and at the same time he was carrying on or engaged in Slave Trade, but the chief of police could not see that; it is doubtful, perhaps, if he dared to remark thereon.

Viscount Palmerston, G.C.B.

HY. CHRISTOPHERS.

*No. 258.—Acting Consul Christophers to Viscount Palmerston.
(Received March 14.)*

MY LORD,

Pernambuco, February 12, 1851.

IT would afford me the greatest satisfaction to be able to convey to your Lordship, in the earnest language of the President of this province, Senhor Jozé Ildefonso de Souza Ramos, a complete knowledge of the energetic measures he has taken to repress the Slave Trade, and of the monstrous irresponsible state in which the present agents and officers of police either hold themselves, or are subject to, as regards the Government or the feudal magnates about Cape Augustine.

It appears, as denounced by the Liberal press, and now officially confirmed, that from November to January, 3 lots of Africans, in all about 150 poor blacks, have been landed thereabouts. On one occasion some 70 armed men went to assist, and the chief parties concerned were a Portuguese contrabandist, one of a family, Magalhaes Bastos, and a planter, Barros Wanderley.

The President sent the most strict and positive orders to all the

higher authorities of the locality, to take the most active and decisive measures that the law could possibly admit of to proceed against the delinquents, to seize and capture them and send them to the city for prosecution, and to apprehend the Africans; and he sends them sufficient forces of the line and the police to do so effectually.

The President charges them to respect no criminal, however great he may be, or however much he might set himself above the law, and holds them responsible for the execution of his proper commands.

The President orders the chief of the police here, Senhor Jeronymo Martiniano Figueiro de Mello, to proceed to the district of the Cape, to take full cognizance of these matters, to promote the just ends he has in view, and says, that though the delinquents be powerful, still more powerful is the law, when those charged with the execution of it know how to comprehend their duty and choose to perform it,—a well-applied axiom.

The President expresses his deep grief that slaves should be imported, as a manifest evil to his country, and that avarice should so absorb the better feelings of its abettors, at the scandalous desecration of the law and the contempt of authority.

Yet all these measures seem to have been unpropitious, beyond the apprehension of 6 Africans by a Captain Firmino Santiago and the capture of one Magalhaes Bastos.

It seems incredible that such things should go on within a fine morning's ride from this city, where people are incredulous of these facts, or rather wish to disguise them, or to believe the false denials of the very slave-traders themselves; moreover, that it should be necessary at all to denounce such occurrences, for which few persons now have the courage, and without which proper and bold denunciations such cases would never come to the President's ears, but he declares to the facts, and says they are not only publicly known, but there are plenty of present and eye-witnesses to be had to prove it. Again, there are new blacks brought into town and sold here, but nobody can or will say who has one, or where the general deposits exist.

As to the district of the Cape, a rich sugar country, the large or rich planters, holding as many dependants as they can, are mostly of the feudal party, nominally supporting the present Government of the empire, but giving no aid; whilst the Liberals are entirely out of all power; thus the President has no effective authority, and though he dismiss and appoint officers of justice or police, he can hardly find any to do his bidding, whilst here in town the present influence is chiefly Portuguese.

How different is this state from that of 4 years ago, when the Chief of Police dismissed his cousin, a very influential planter and delegate for the same district, on the moment of his aiding the

landing a few slaves, but then the President was backed by the people and had very few soldiers; yet the feudal party dared not move, nor could the Portuguese traffickers venture much in the accursed line.

The subject is far from being exhausted; for as the Portuguese do misrepresent Britain to the Brazilians, saying, we want to put down the slave traffic merely to ruin and destroy the Brazilian planter and support our own colonies, so also to the British they misrepresent and decry Brazilians, as unfit and incompetent in matters of trade and business, and unworthy of credit; thus and by other means getting and keeping the position almost entirely of go-betweens in buying and selling.

Notwithstanding, there is a vast majority of Brazilians, and many planters too, entirely opposed to Slave Trade, as against their most vital interests, and with much reason; this better feeling is being widely extended in spite of these Portuguese.

I do not know of any slave traffic lately to the northward. The schooner *Herminia* has been brought up here with the officers prisoners for trial, and no doubt, I trust, she will be condemned. The 22 new Africans also brought up in her and taken at Paraiba, will also be finally declared free, I hope, and liberty be secured to them.

From Mr. Vice-Consul Burnett I get regular advices, and of some interest. He wrote to me from Maceio, that the President, Dr. Jozé Bento, had opened his eyes to the extensive traffic being carried on in the Alagoas, and had solicited his aid in the way of information. It appears that several lots of Africans have been landed in various parts of Alagoas, and that the small-pox has terribly prevailed among the population. The number of blacks imported may have exceeded 1,000 souls.

No vessel, however, has been seized, none of these poor blacks rescued from slavery; but I see that the pilot who run the slaver *Innocente* on shore is to be proceeded against by others concerned therein; and this is owing to one of the cruisers sent by the President from here, and who is constantly sending out a fast cruizer or two on this duty of looking after the slave-craft. Further, it seems that Dr. Jozé Bento has lately dismissed the delegate of Porto de Pedras, an influential planter, Jozé de Barros Pimentel, but not till, in return for his assistance, he had some 40 blacks, and some of these it appears he had had actually the confidence to send into the town of Maceio for sale, and thus his conduct became too scandalous and public.

This Barros Pimentel is the same person who was charged with the murder of the English engineer Andrew Harvey, and who was lately cleared from that charge by a certain process.

Were I to credit all the reports I hear, there must have been a far greater number of Africans landed between this and Maceio lately; for instance, one tells me that he knows of an engenho where some 300 are now hid.

I have, &c.

Viscount Palmerston, G.C.B.

HY. CHRISTOPHERS.

BRAZIL (RIO GRANDE DO SUL).

CONSULAR.

No. 260.—*Consul Morgan to Viscount Palmerston.*—(Rec. Dec. 31.)

MY LORD, *Rio Grande do Sul, October 1, 1850.*

I HAVE the honour to acknowledge the receipt of your Lordship's circular despatch of the 15th of May last, in which I am instructed, whenever any well-founded informations of slave-vessels may come to my knowledge, to communicate the same to the senior officer of Her Majesty's ships at or in the neighbourhood of Rio Grande, as well as to the Commander-in-chief of Her Majesty's naval forces on this coast; which instruction I shall not fail to obey whenever circumstances shall call for its execution.

I have, however, the satisfaction to acquaint your Lordship that the direct African Slave Traffic in this province has for some time past entirely ceased; and that the importation of Bozal negroes, which has taken place from Bahia, has likewise been very discouraging to importers, from the very nature of the apathy of demand.

On the other hand, the Rio Grandenses, alive to the danger they expose themselves to by multiplying the number of their enemies under the present and past state of the political relations of this country with the neighbouring Republics of the Plata, have turned their attention seriously to colonization, which has now become a subject of some importance; and I have no doubt that slavery—with the views at present held upon its viciousness and danger—will be abolished in this province, at no very distant period by some act emanating from the inhabitants themselves, when colonization shall have supplied in some degree the demand existing for labour.

In the Provincial Assembly at present sitting at Porto Alegre, a proposal has been made—which I am given to understand will shortly become law—to impose a head-tax of 16 dollars on every slave sent to this province for sale. This law is mostly directed

against the entry into the country of refractory negroes, who are sent hither by their masters residing in the northern ports of the empire.

I have, &c.

Viscount Palmerston, G.C.B.

JOHN MORGAN, JR.

No. 261.—*Consul Morgan to Visc'. Palmerston.*—(Rec. Feb. 3, 1851.)

MY LORD,

Rio Grande do Sul, November 30, 1850.

WITH reference to the statement made in my despatch of the 1st October last, that a proposal had been made in the Provincial Assembly, to levy an extra tax of 16 dollars or rs. 32\$000, on every slave brought to this province; I have the honour to transmit herewith copy and translation of that project, which has now become law, and to which certain dispositions have been added, in order to prevent emigrants in future from becoming owners of slaves, by prohibiting their introduction into the existing colonies and in those that may be hereafter established; as well as specifying the exemptions that will be allowed on such slaves as shall arrive henceforward, if re-exported within the period of a twelvemonth.

This law, although not quite so comprehensive and stringent as could be desired, is nevertheless a great bonus in favour of free emigration, which, if properly enforced with the law and regulations lately enacted at Rio de Janeiro by the General Legislature of the empire towards the effectual suppression of the Slave Traffic, and common to all the provinces, will tend most materially to assist the inhabitants of Rio Grande do Sul in their desire to free themselves from the innumerable evils attending the accumulation of a slave population in this important frontier province of the empire.

I have, &c.

Viscount Palmerston, G.C.B.

JOHN MORGAN, JR.

(*Inclosure.*)—*Provincial Law, No. 188, of October 18, 1850.*

ART. I. The introduction of slaves into the territory marked out for the existing colonies of the province, or in such as may be formed in future, is prohibited.

II. The slaves which actually exist in the territory of the colonies shall be registered by the director or his agents, in a book to be kept for the purpose, within a period of 2 months from the publication of this law; a note of such as shall die being duly entered in the said books.

III. All persons who shall travel to the colonies or temporarily reside thereon, may take such slaves as they require for their domestic service, they shall, however, be obliged to send to the director or to his agents, a list of the slaves and to take them away when they retire from the colony.

IV. The slaves which shall be introduced into the colonies in contravention to this law shall be expelled by order of the director, the masters of the same paying all expenses attending the expulsion.

V. The dispositions of the above Articles are also applicable to such colonies as may be formed by private individuals.

VI. For each slave imported into the province a tax of 32\$000 shall be levied in aid of the funds for colonization.

VII. Are not subject to the above tax :

§ 1. The slaves registered on board ships.

§ 2. The domestic slaves of persons who may temporarily come to reside in the province.

§ 3. The slaves existing in the province, those who leave it with their masters and return with, or are sent back by, the same, within the period of one year.

VIII. Are subject to the tax, the slaves treated upon in § 1 and 2 of the preceding Article, who do not leave the province with the ships or masters who brought them hither.

IX. All dispositions contrary to this law are revoked.

BRAZIL (RIO DE JANEIRO).

CONSULAR.

No. 262.—Consul Hesketh to Viscount Palmerston.—(Rec. May 21.)
 MY LORD, *Rio de Janeiro, March 14, 1850.*

I HAVE the honour to transmit the following report respecting African Slave Trade in the district of this Consulate, during the year 1849.

The Custom-House returns of the intercourse between this port and the African coast during that period do not afford any information, but rather appear, as heretofore, to be purposely deceptive, merely showing of departures to Africa,

10 vessels under Portuguese flag.

9	„	Sardinian	„
5	„	French	„
1	„	American	„
1	„	Brazilian	„

with the customary cargoes of provisions and other articles generally required for the transport and purchase of slaves; the exact descrip-

tion of these exports being concealed by every species of artifice, with the connivance of various officers of the Customs.

Of arrivals from Africa the official report merely gives during 1849:

10 vessels under Portuguese flag.

4	„	French	„
4	„	Sardinian	„
3	„	Amerian	„
2	„	Brazilian	„

23

either in ballast, or with too trifling a portion of cargo to afford anything approaching to a remunerating return freight. The correct number of departures from this harbour to Africa during last year cannot be ascertained, for many vessels have cleared outwards with false destinations, while others have fitted out and sailed from the various outports, a list of which ports I inclose, and where not only every convenience is provided for the outfit of slave-vessels, but also where barracoons, lighters, and large sailing drogas, and all other requisites for the quick disembarkation of Africans are known to exist.

But the Brazilian return of arrivals from the coast of Africa is even more glaringly deceptive than that of departures, for it is notorious to every person and authority, that all the vessels mentioned in the inclosed list have brought slaves from thence, and that they have been landed at some of the small harbours to the northward and southward of Rio de Janeiro, being 69 vessels with about 40,980
besides 10 justly suspected of landing about 5,000

45,980

Long as this list of vessels is, it is more than probable that it does not still comprise the entire number, from the facility with which many can elude observation in these unfrequented places.

The number of captives on this coast by British cruizers during last year, or early in this, were 6, namely, 2 with slaves, but only part of them were rescued, as both vessels were stranded by their crews; 2 on their voyage to Africa, or some place of outfit, one of which was the notorious steamer *Providencia*, alias *Paquete de Santos*; and one burnt, having previously landed her cargo of human beings.

At the close of 1849 there were about 32 vessels known to be on their illegal voyages from this district to Africa for slaves; and 18 lying in this harbour, also belonging to slave-merchants, and either recently returned from Africa, or fitting out for that coast; besides

which, there are many vessels employed in Slave Trade between the outports and Africa, that rarely appear in Rio harbour. So many deceptions are successfully practised with the connivance of the Brazilian authorities, that it is not possible to arrive at a satisfactory estimate of the number of vessels now engaged in Slave Trade, and owned by persons resident here. For instance, it has been ascertained that the 7 following vessels all proceeded from hence direct to Africa, though they cleared outwards, and under the American flag, with which they arrived from The United States, as follows: last August, brig *Rio de Zaldo*, for Rio Grande; barque *Hannibal*, for the River Plate; brig *Imogene*, for ditto. In September, brig *Snow*, for Pernambuco. October, schooner-brig *Casco*, for The United States, with a cargo of slave-provisions; schooner *Rival*, for Rio Grande; and without any publication of clearance, brig *Overman*.

From this short exposition, the extent of the African Slave Trade and the protection it receives from the Imperial Government are apparent.

During the last few years, those interested in this nefarious trade have so fully provided and organized the means of carrying it on in the neighbouring harbours and creeks, and have so fully secured the no less essential countenance and protection of nearly every Brazilian authority, from the highest to the lowest, that they continue their illegal operations undisguisedly, and quite undaunted by the general outcry now rising in many quarters against the wide-spread demoralization, and many other national evils inflicted by the illegal and injurious objects to which the slave-dealers as a body concentrate without any check all their energies and the influence of their wealth.

I inclose a list of the persons residing in this capital who are said to be the principal slave-traders; and also another of those who reside at the outports; besides these, a great portion of the Portuguese population is more or less engaged in Slave Trade; and the influence of such an active body, long domiciliated in the country, must be great, when backed as it is by the Government and most of the subordinate authorities, and also upheld by the planters, whose property is gradually falling under mortgage for slaves they annually purchase, and whose political independence is also in a great measure curtailed in the subservient and constrained position their obligations to the importers of slaves place them. With such commanding influence, it is not surprising that they are protected against all seizure of slaves, or any other of the punishments ordained by the unrepealed law of Brazil against all import of African slaves.

Two vessels were at the close of last year captured in the act of landing slaves at one of the outports, or soon after the debarkation was effected; and undeniable evidence adduced proving the illegality

of their proceedings at a port where no custom-house was established. Their names were *Tolerante* and *Antipathico*. They were seized by a revenue vessel and brought to this port, and legal proceedings instituted. But though the evidence was too strong against both vessels to allow a release, still the owner of the *Tolerante*, Manoel Pinto da Fonseca, was permitted to fit her out again for Africa, and she is now on her voyage thither. This vessel was the American brig *Flora*. The *Antipathico* is, I am informed, also preparing for a similar return to her former employment; while the officer of the revenue vessel is superseded in his command, and now employed in a laborious and unhealthy office on the custom-house wharf. This is, however, only one of the numerous instances which can be given, to prove that the slave-merchants are openly allowed to infringe with perfect impunity every law and regulation opposed to Slave Trade, or that may in any way frustrate their various illegal acts for obtaining the use of vessels under foreign flags.

They have been most successful in thus prostituting to their nefarious purposes the American and Sardinian flags, but I do not think that they have invented any new device to attain that end.

The slave-traders have continued to reap full advantage from their commercial credit in purchasing merchandize and obtaining shipping; employing subsequently the latter piratically between the continents of Brazil and Africa, both as to the voyage and the unlawful use of the flag. They have also, as heretofore, leagued together, and devoted a portion of their great though criminal profits to the perverse purpose of facilitating a continuation of their outrages by extending their political influence in Brazil.

The prices of newly-imported Africans during 1849 have fluctuated, having been about 32*l.* 10*s.*, 37*l.* 18*s.*, and 43*l.* 6*s.*, at 6 and 12 months' credit; and at present the price has increased to 54*l.* per head, in consequence of late captures and the cruising on this coast.

It is, however, requisite to explain that if, as it generally happens, the purchaser does not pay when the amount becomes due, he has to accept bills at a further credit, which bear an addition of interest for the extended credit at the rate of $1\frac{1}{2}$ to 2 per cent. per month. As these bills are often renewed with the addition of the further interest incurred, some idea may be formed of the extravagant price for slave-labour paid by the planters, and of the process by which their estates become ultimately mortgaged to the slave-merchants.

Unfavourable as this report thus far is, as to the prospects of suppressing slave-importation into this district, I have nevertheless satisfaction in alluding to an assistant for its repression which is gradually becoming more powerful, being a reaction occasioned by the galling degree to which the slave-dealers have advanced with the actual Government their undue political influence.

The anti-slavery party is Brazilian, and their number has of late considerably increased, and is spreading over the country.

Without attempting to ascertain whether the first impulse of this party proceeded from a conviction of the moral turpitude attached to Slave Trade, or from a determination to attack their political opponents on so vulnerable a point, whatever may have given rise to this outcry against slavery, the party now stands forward avowedly opposed to the further importation of slaves, and even advocates the necessity of adopting every means for the gradual extinction of slave-labour. Their opinions are freely and boldly proclaimed in the press, and they expose every instance of connivance on the part of the authorities and the Government with the importers of slaves, and even publish the names of such slave-holders as deprive their slaves of the trifling protection the law grants to them.

This party has in its interests 3 newspapers at this capital, "Philantropo," "Correio Mercantil," and "Grito Nacional;" and I am informed that demonstrations of similar feelings against Slave Trade are appearing in many provincial newspapers.

Were it not for the great and perhaps needless addition to this report, I would inclose some of these newspapers with translated extracts.

But it is not only by the press that this party is heard. Members in both of the Legislative Chambers have in their places adverted to the connivance of the Executive with the importers of African slaves, as the root of great evil in the land, and the origin of the coercive and displeasing measures imposed by Great Britain on the sea-coast; and the policy of suppressing all further import of slaves into Brazil, as well as the disgraceful influence of slave-dealers, have both been alluded to with equal boldness. That part of the press which is in pay of the slave-trading interest, now meets counter-publications, showing how slave-dealers conceal all their criminal acts, and distort facts on every occasion of capture by a British cruiser in this neighbourhood.

These counter-statements often set forth in strong language the propriety and justice of the measures enforced by Her Majesty's Government against Brazilian slavers off their haunts; and as newspapers are read by more classes than is generally supposed, much of the former irritation against British cruising off this coast has subsided; the Portuguese, or slave-trading party, not having now the means as formerly to create a hostile feeling against British interests and persons; nor dare these slavers, even supported as they are, now venture on repeating the outrages formerly committed in different parts of this coast; because, by so doing, under the actual jealousy of Brazilians at the influence these foreigners possess, the national

enmity against Portuguese would be roused, and the Executive in such an extreme case could not protect them.

On the late occurrences of the burning of the slaver *Santa Cruz* by Her Majesty's ship *Cormorant*, the capture of the slaver *Providencia*, alias *Paquete de Santos*, and the accidental mistaking a Brazilian steam-packet for a coaster by Her Majesty's ship *Rifleman*, the slave party made every exertion through their part of the press, to exasperate the public mind, by all kinds of misrepresentations and a studious concealment of the real facts, and the Executive Government also lent its aid to these exertions. But the anti-slavery press exposed all those deceptions, stating the facts truly, and justifying the acts of the cruisers; and the mischievous exertions of the Portuguese were on these occasions unsuccessful in the newspapers and in both Houses of the Legislature, and they were also disappointed in their expected triumph from the interference of the Imperial Government.

Under this view of the present position of the slave-trading interest, the only assistance the actual Executive can afford them may extend to official remonstrances, but can never protect them against the effects of British cruisers on this coast, by creating against the British hostile feelings on the part of the population, as the Brazilian party the real strength of the country, is not with the actual Government on this subject.

The press has done much to place the question of abolition of Slave Trade in virtue of the Treaty with Great Britain in its true light; and Brazilians are daily becoming more impressed with the ruinous consequences to them of increasing their slave population. The more enlightened classes among them, if they do not value a release from slave-labour even in perspective, or have not a moral disgust at slavery, must at all events feel their thralldom to a set of adventurers, and the great sacrifices thereby occasioned both in national interests and also in their own individual influence. The inference from this state of things is, that British cruising on this coast against the importation of slaves would become popular in proportion to the strength or efficiency of the force employed; for the Brazilians would then perceive the certainty of being freed from a party that had supplanted them in political influence. And if a stronger squadron were employed in its destruction by acting against Slave Trade on the coast of Brazil, the national pride of its population would not be irritated as it now is by the limited force of the cruisers.

This is the most striking change I have to report.

The slave-merchants disbelieve or affect to despise the rising party against them, and only appear to feel and dread loss from

capture; they have of late experienced some discomfort from British cruizers on the coast of Africa; and in this neighbourhood the seizure of the slave-steamer *Providencia* and brig *Paulino* with considerable funds on board, are said to have inflicted some punishment on the owners. The condemnation in The United States of the *Laurens*, not on account of slave-equipment, but in consequence of the evident Slave Trade intention of the voyage, has occasioned much distrust amongst these lawless adventurers in their various devices to profit by the use of the American flag.

Having thus, my Lord, described the Slave Trade in this quarter during the past year, the system by which it is upheld, and the points which appear assailable in that system, I have only to observe, that the importation of African slaves into Brazil cannot be suppressed without the co-operation of cruizers on this coast.

I have also inclosed a statement of the quantity and value of the principal exports, the produce of slave-labour in this district during the past year; a return which I have compiled with the greatest attention, but which I must explain depending in some degree on estimated amounts, cannot be further vouched for than as the nearest approximation to the value that can be attained.

I have, &c.

Viscount Palmerston, G.C.B.

ROBERT HESKETH.

(Inclosure 1.)—*Names of Harbours or Outports where no Custom-Houses are established, and where the Slave Dealers land Slaves, and frequently fit out the Vessels on their return to Africa.*

To the southward of Rio de Janeiro:—Perrequé, Sombrio, Marambaia, Dois Rios, Guhibá, Sahy, Paratimerim.

To the northward:—Rio das Ostras, Buçeo, Guarapari, Cape Frio, Manguinhas, Armaçano, Macahé.

Also Paranaguá to the southward, and Victoria or Capitania to the northward; but there are Custom-Houses in both those places.

ROBERT HESKETH.

(Inclosure 2.)—*List of 79 Vessels from which Slaves were landed on the Brazilian coast to the northward and southward of Rio de Janeiro, during 1849. Number of Slaves 45,980.*

(Inclosure 3.)—*List of 38 Slave Merchants residing at Rio de Janeiro.*

(Inclosure 4.)—*List of 16 Slave Merchants residing at the Outports.*

(Inclosure 5.)—Statement of the Amount and Value of such staple productions of Rio de Janeiro, the result of Slave Labour, during the year 1849.

Description of Produce.	Quantity.	Sterling Value, including Shipping Charges and Duties.		
		£	s.	d.
Coffee	1,453,981 bags	3,658,200	0	0
Sugar	5,979 cases	153,500	0	0
Rosewood	19,680 planks	53,300	0	0
		3,865,000	0	0
Hides, Rice, Horns, Tapioca, Tobacco and Rum, exported during 1849, estimated about .. .. .	.. .. .	500,000	0	0
	TOTAL £	4,365,000	0	0

ROBERT HESKETH.

No. 265.—*Consul Hesketh to Viscount Palmerston.*—(Rec. July 29.)
MY LORD, *Rio de Janeiro, June 5, 1850.*

I HAVE the honour to inclose copies of 2 despatches from the Acting Vice-Consul at Santos, dated 23rd and 31st ultimo. In the first, Mr. Glennie communicates the particulars of an atrocious attack on the crew of a boat belonging to Her Majesty's steamer *Rifleman*, when unfortunately one of them was killed: and though the censurable conduct of a police delegate, as described in the second despatch, is much to be deplored, still it is gratifying to learn that the chief civil authority at Santos is zealous in the discharge of his duty and resolved on every occasion to punish the guilty parties; a proceeding on the part of the superior functionary, Dr. Francisco Xavier da Costa Aguiar de Andrade, quite different from that taken by a predecessor some years ago, when a murderous attack was also made in the neighbourhood of that place on the commander and some officers of Her Majesty's ship *Frolic*.

I likewise inclose a Rio newspaper of to-day, the "*Jornal do Commercio*," with a translation attached, of an extract it publishes from one of the journals at Santos, showing that even in that stronghold of Slave Trade, there is now a spirit of party openly opposed to such nefarious practices, and a party which, I have much satisfaction to remark is rapidly increasing in influence throughout Brazil.

I have, &c.

Viscount Palmerston, G.C.B.

ROBERT HESKETH.

(Inclosure 1.)—*Acting Vice-Consul Glennie to Consul Hesketh.*

SIR, Santos, May 23, 1850.

I HAVE the honour to inclose you copy of a letter I have received from Lieutenant Crofton, commanding Her Majesty's steam-vessel *Rifleman*, informing me of a murderous attack made on a boat's crew of that ship on the 16th instant; and I beg to inform you that I communicated the same to the police authorities of this town yesterday, who were all highly indignant at so gross an outrage having been committed on their coast.

To-day the authorities met and took the depositions of the officer and crew of the boat which was attacked, and they have assured me that nothing shall be left undone to bring the perpetrators of the crime to account.

I shall duly advise you of the affair as it proceeds in the court.

We have already found a clue to those who were concerned in the affair, but as the *Fluminense* sails to-morrow, I cannot give you any further advices on the subject.

I have, &c.

R. Hesketh, Esq.

CHARLES A. GLENNIE.

(Inclosure 2.)—*Lieutenant Crofton to Acting Vice-Consul Glennie.*

SIR, Rifleman, Bar of Santos, May 21, 1850.

I HAVE the honour to inform you of the following circumstances relative to the murder of a seaman belonging to Her Majesty's steam-vessel under my command.

On the 16th day of May, 1850, the cutter of this ship, being detached under the command of Mr. Ryan, master's assistant, took shelter from a heavy gale under the lee of an island 5 miles to the eastward of the Moela, and whilst drying their clothes on a rock, and cooking their victuals, they were surprised by a body of not less than 50 men, all armed with muskets, who commenced firing at them, and the result was, that one of the seamen was shot dead; the cutter was obliged immediately to put to sea, leaving everything on the rock, which was plundered by these ruffians.

Such an act of barbarity, committed on almost shipwrecked men, calls for the most rigorous measures for their apprehension.

I proceeded in the *Rifleman* to the scene of the above outrage, and discovered in a house adjacent the missing articles belonging to the boat, and the men's wearing-apparel, which they had left on the rock, and being satisfied that these parties were implicated in the outrage, I set fire to the house, as a warning to all who may dare to molest British subjects in the position in which my men were placed.

I request that you will make the above circumstances known to the Brazilian authorities at Santos. I have, &c.

C. A. Glennie, Esq.

J. L. CROFTON.

(Inclosure 3.)—*Acting Vice-Consul Glennie to Consul Hesketh.*

SIR,

Santos, May 31, 1850.

I HAVE the honour to inform you, that the Delegate of Police of this city has resigned his office, being afraid to proceed against the perpetrators of the murderous attack made on the crew of the cutter belonging to Her Majesty's ship *Rifleman* on the 16th instant, the particulars of which I had the honour to state to you in my despatch of the 23rd instant, per *Fluminense* steamer; consequently the case is at a stand for the present, until another delegate is appointed.

The owner of the house that was set fire to is now in the gaol of this city; he has been examined before Lieutenant Crofton, Mr. Ryan, and the crew of the cutter; but, although it is evident he knows all about the affair, he refuses to name the instigators of the murder.

The only magistrate here who is determined at the risk of his life to bring the villains to account, is our most worthy Juiz de Direito, Dr. Francisco Xavier da Costa Aguiar de Andrade. He is deserving of all praise and esteem, being a good, honest, and upright man, and one who is determined to do his duty at all risks; he has written the President of St. Paul's to appoint a delegate of police.

Lieutenant Crofton has, from the description of dress and character given him, convicted a man named Valencio, a resident in this city, and well known to be connected with the Slave Trade, and to have been seen near to the scene of murder on the 16th instant; but, unfortunately, having no police authority, the man cannot be put in prison. I expect the case will proceed next week, and I shall advise you of all the particulars.

I have, &c.

R. Hesketh, Esq.

CHARLES A. GLENNIE.

No. 269.—*Consul Hesketh to Viscount Palmerston.*—(Rec. Oct. 7.)

MY LORD,

Rio de Janeiro, August 3, 1850.

IN reference to my despatch dated 8th June last, I have the honour to acquaint your Lordship that the first meeting of the Anti-Slavery Society in this city took place on the 7th ultimo, and that Dr. Nicholao Rodrigues dos Santos França Leite was elected President, and Senhor Caldre e Fião, Secretary, both provisionally, until an answer be received from the Imperial Government to the Society's announcement of its installation, a copy and translation of which document I inclose.

Up to yesterday no reply had been received by the President of

the Society to the communication addressed to the Secretary for the Home Department soliciting his Excellency's countenance.

I have, &c.

Viscount Palmerston, G.C.B.

ROBERT HESKETH.

(Inclosure.)—*The Brazilian Anti-Slave Trade Society to the Secretary to Government.*

MOST ILLUSTRIOUS SIR, (Translation.) *Rio de Janeiro, July, 1850.*

THE Undersigned, being desirous to install at this capital a society under the title of Anti-African Slave Trade Society, and for promoting colonization, and the civilization of the Indians, have the honour to transmit to your Excellency the inclosed bye-laws for the government of the Society, which for the time being will hold its sessions in the building called "Sallão de Floretta."

The views of the Undersigned are to accompany and support all such measures as the Imperial Government may adopt to put an end to the horrible trade in Africans, to which we are most imperiously obliged by the most solemn Treaties and by the interests of the country.

The Undersigned judge this to be the most fitting occasion for installing a society with such objects, because, by this the civilized world will be convinced that enlightened men exist in Brazil, who not only perceive the evils produced by continuing this abominable trade, but at the same time know how to support their country and their Government against the exaggerated pretensions or the violence of any foreign country.

The Society hopes to meet your Excellency's approbation and enlightened protection.

God preserve your Excellency.

(Signed by the members of the Society.)

No. 270.—*Consul Hesketh to Viscount Palmerston.*—(Rec. Nov. 5.)

MY LORD,

Rio de Janeiro, September 9, 1850.

IN reference to the despatch which I had the honour to address to your Lordship under date of 3rd ultimo, I have now the satisfaction to announce to your Lordship that the Anti-Slavery Society was publicly installed on the 7th instant.

I inclose for your Lordship's information, a copy of my letter to Her Majesty's Minister, containing a general outline of the proceedings at that public and interesting ceremony.

I have, &c.

Viscount Palmerston, G.C.B.

ROBERT HESKETH.

(Inclosure.)—Consul Hesketh to Mr. Hudson.

SIR,

Rio de Janeiro, September 7, 1850.

I HAVE the honour to acquaint you that, in consequence of an invitation, I was present as a spectator at the public installation of the society for suppressing the importation of African slaves, promoting colonization, and civilization of the Indians of Brazil.

The ceremony took place this afternoon soon after 5 o'clock; the attendance was not, however, so numerous as was expected, in consequence of the unfavourable state of the weather.

The President, Dr. França Leite, read a long exposition of the three principal objects of the society, showing the important benefits arising therefrom to the welfare and advancement of the country, and the consequent necessity of promoting these objects by unremitting perseverance; also contrasting all the evils of slave-labour with the benefits of free-labour; showing the means by which the Indian population can be domesticated; and the errors of past Administrations in regard to these important measures; closing his observations by alluding to the encouraging precedents afforded by history of the success attending patriotic exertions in matters of such high national interest.

The President was followed by several members, all expressing equally zealous sentiments in the cause the society professes; various facts were stated and arguments brought forward, describing the infamy of those concerned in the importation of Africans, and the injuries inflicted on the interest of the country; and all expressed their confidence in the ultimate success of the efforts of the society. One member declared that "The independence of Brazil was illusory so long as Portuguese were allowed to remain in the land, turning its population into a vicious mass of slaves and slave-masters;" and another said that "He could not describe what a slave was, but he could a contraband slave-dealer," and then depicted the infamous acts of the slave-importers, and was loudly applauded.

The President read a despatch from the Brazilian Secretary of State for the Home Department, sanctioning the establishment of the society, and remarked that he did so *pro formâ* as the society could exist legally without such sanction. A list of the members of the society was then read, embracing many influential persons.

The President then presented to the society 2 mulatto children who had been born his slaves and were then freed by him in commemoration of this installation; and recommended that if slaves were manumitted by the society under peculiar circumstances, the female sex should be preferred to the male.

Three committees were then named, respectively intrusted

with matters relating to "African Slave Trade, Colonization, and Civilization of the Indians." I have, &c.

J. Hudson, Esq.

ROBERT HESKETH.

No. 273.—Consul Hesketh to Viscount Palmerston.—(Rec. Mar. 14.)

MY LORD,

Rio de Janeiro, February 8, 1851.

I HAVE the honour to report as follows on the African Slave Trade in the district of this Consulate during the year 1850.

From the Custom-House returns in that period, it appears that departures to the coast of Africa were:

Under the Brazilian flag	1
„ Portuguese „	11
„ French „	3
„ Sardinian „	7
„ American „	1
<hr/>	
Total	23

Their cargoes mainly consisted of different articles of provisions, and of Brazilian rum, and of trifling portions of European merchandize. Articles known as slave-equipment, on board some of these vessels, having been embarked under false denominations with the facility and security so long established and so frequently alluded to.

As heretofore, many vessels have also left this harbour in ballast proceeding to different outports, from whence they sailed for Africa, after being fully equipped for transporting a cargo of slaves; several others cleared for the River Plate with lawful cargoes, going thence in ballast to Paranaguá or to St. Catharine's, where their slave-equipments were embarked, and they proceeded to Africa.

By the official return of arrivals from the coast of Africa during 1850, it would appear that they consisted of:

1 vessel under the Brazilian flag	
4 „ Portuguese „	
5 „ Sardinian „	
3 „ French „	
2 „ American „	
<hr/>	
15	

However, the inclosed list gives the particulars of 25 vessels arriving from Africa during the last year, not at this harbour, where alone they could be legally admitted, but at various small outports, where no Custom-Houses exist, and where the local authorities connived at the landing of 18,372 slaves.

So far, therefore, the long-established and outrageous acts of slave-dealers along the neighbouring line of coast were in full play, protected and assisted by every one of the Brazilian authorities

whose office made them aware of such illegal arrivals at their different stations, and in fact whose complicity in such wholesale Slave Trade was too notorious not to be well known also to the supreme authorities at this capital.

And yet these outrages continued without repression or even notice on the part of the Brazilian Government, precisely as in former years, until the close of the first 6 months of 1850, when a very different course was suddenly adopted by the Executive, in consequence of the capture of several vessels employed in Slave Trade, within the port of Paranaguá, by Her Majesty's steamer *Cormorant*.

The facility with which, after the coercive occurrence at Paranaguá, the Brazilian Government passed through the Legislative Chambers the recent stringent law against Slave Trade, proves that the present Administration did not meet any opposition to such a measure, and induces the conclusion that all the evils already felt and still to come from the hideous extent of slave importation during late years, under a system the most pernicious to Brazil, were not occasioned by the want of power on the part of the Executive to suppress that lawless importation, but by a reluctance to do so; and it still remains to be seen whether this reluctance may not continue, and require active watching to prevent the late anti-Slave Trade Law from falling into the same disgraceful disuse as that of 1831.

From the inclosure No. 1 it will be seen that up to 30th June, 1850, from 14 vessels, 8,012 slaves were landed; 6 of these vessels no doubt returned to Africa for fresh victims; of the remaining 8, with the exception of 1 sold by the slave-importers, all were either seized or destroyed.

On the other hand, during the last 6 months, of the 11 vessels from which 5,360 slaves were landed, none returned to Africa, 4 having been seized and 7 destroyed. So that in the course of 1850, and especially during the last 6 months, the importation of slaves was checked to a considerable extent, as will be more clearly shown by the following comparative statement of slave-importations during the last 4 years :

Average number landed during 1847, 1848, 1849, and 1850						<i>Slaves.</i>
1847	1848	1849	1850	..	..	40,660 annually
Total landed in 1850						13,372

Had not the reluctance above alluded to impeded the honest execution of the late law, the axe would have been put direct to the root of this evil, by seizing the 5,000 and odd slaves landed after the 1st of August; a point which the Executive could have easily achieved, by punishing the local authorities and the well-known owners of the slaves, for which the Government was fully authorized by the then still existing old laws and police regulations.

There is, however, great cause for satisfaction at the late measures against African Slave Trade, in consequence of the decided step within the harbour of Paranaguá.

The recent laws and regulations against slave-importation are well adapted to accomplish their professed object, and those engaged in that illicit trade now feel the force of their opponents in this country.

The fitting out of slave-vessels in this harbour is now attended with so much risk of seizure, that it is for the present suspended.

At this date there are 3 vessels notoriously destined to bring slaves over from Africa, but the owners dare not embark the equipments.

It is now seen that both sides of the press, one paid by the slave-dealers, the other against them, are unanimous in lamenting the existence of Slave Trade, and in declaring it to be a great evil.

But notwithstanding this general condemnation of slave-importation and the recent stringent law, the Brazilian Government has not yet in any instance followed up the zeal of their cruizers by punishing the well-known slave-merchants owning the vessels that have been seized after the slaves were landed, nor the local authorities implicated.

That part of the press which is in the pay of the slave-dealers, and which is also unhappily in the interest of the actual Government, while admitting the obligations contracted with Great Britain for the extinction of African Slave-Trade, inculcates that such obligations are fulfilled by promulgating the late law against the traffic, and that the continued watchfulness of British cruizers on this coast is not so much for its suppression as for other objects.

But this last struggle or attempt to enlist national sympathies on the side of designing slave-trading Portuguese capitalists, and render unpopular the acts of British cruizers on this service, will prove impotent with the anti-slave party, whose influence is still increasing—who from experience full well know how to mistrust the anti-slavery professions of every late administration, and who justly appreciate the assistance their cause has received from the co-operation of Her Majesty's ships; frankly and truly acknowledging that had it not been for the determination to seize slavers in Brazilian ports, the actual Ministers would never have sanctioned the recent law against African Slave Trade.

During the course of last year a sound opinion as to the true interests of Brazil has gained ground, proved by the universal admission that the Slave Trade is a great evil.

But the law so recently promulgated in accordance with that opinion was wrung from the present Administration, and requires

to be upheld by the co-operation of Her Majesty's navy, otherwise, the persevering and unprincipled machinations of the Portuguese slave-trading portion of the population, whose political allies still hold the reins of Government, will impede the action of that valuable law.

The day is perhaps not far distant when Brazil may be freed from a strong and deep root of corruption by deporting those capitalists whose avidity for Slave Trade appears unconquerable, and who are not Brazilians.

Two of these notorious characters, one a brother of the well-known Manoel Pinto da Fonseca, the other an Italian named Pareto, have been ordered to leave the country, but it does not appear that this order has yet been enforced.

The well-timed blow given last year to African Slave Trade at such an important and well-protected slave-haunt as Paranaguá has naturally greatly increased the price of a newly-imported slave.

At the commencement of 1850 an adult healthy and well-formed male slave was sold for cash at about 44*l.*; the price advanced gradually, and at the close of the year for a similar slave above 100*l.* was demanded, with cash-payment; while for a lot consisting of both sexes and different ages the price was from 87*l.* to 95*l.* per head; and if not paid for in cash, which the slave-importers were most desirous to obtain, the premium was from 1 to 2 per cent. per month.

Even at these high prices, planters have purchased, also slave-dealers, for the purpose of reselling the slaves in the interior, a portion being also bought for household and handicraft occupations.

These high prices must, however, greatly curtail the number of purchasers.

Of the 18 captures made on this coast by the British cruisers during the last year, only 1 had Africans on board.

In consequence of orders from the Imperial Government, Brazilian cruisers have seized 3 vessels in the act of landing slaves, and 1 at sea with a cargo of Africans; and it is stated that about 1,200 slaves have been so captured, besides 4 empty slave-vessels, all within the last 4 months, and at the different outports between Macahé and Paranaguá.

That number of slaves is therefore deducted from those landed and kept by the importers.

The master of the French barque *Tourville* is under process at law for slave-trading, 4 newly-imported Africans having been detected on board on her arrival from Africa by the Guarda Mor of this Custom-House, Senhor Leopoldo da Camera Lima.

To the preceding report of the important changes which have taken place in the illicit importation of slave-labour, I have to add

the following return of free colonists landed at Rio de Janeiro during the last 2 years :

In 1849	..	..	..	..	3,990
In 1850	..	..	..	..	4,050
					————— 8,040

The customary return of the value of exports, the produce of slave-labour, during the year 1850, must form a supplement to this report by next mail, as it is not possible to collect, in time for the present conveyance, the information requisite to make up that return, and I have the instruction of Her Majesty's Minister at this Court to transmit this report without delay.

I have, &c.

Viscount Palmerston, G.C.B.

ROBERT HESKETH.

P.S.—February 9, 1851.—I beg leave to add that the Italian, Pareto, above alluded to, was forced yesterday by the police to take his passage on board the steam-packet *Esk*, departing to-day for the River Plate.

No. 274.—Viscount Palmerston to Consul Hesketh.

SIR,

Foreign Office, March 29, 1851.

I HAVE received your despatch of the 8th ultimo, containing your report on the Slave Trade within the district of your Consulate for the year 1850; and with reference to the statement which you make in that despatch, that 3,940 free colonists were landed at Rio de Janeiro in the year 1849, and 4,059 in the year 1850, I have to instruct you to inform me, if you are able to do so, from what countries those free settlers chiefly came.

I am, &c.

R. Hesketh, Esq.

PALMERSTON.

DENMARK.

No. 275.—Viscount Palmerston to Sir H. Wynn.

SIR,

Foreign Office, January 15, 1851.

I TRANSMIT to you herewith copies of 3 despatches which I have received from Her Majesty's Chargé d'Affaires at Caracas, reporting that a slaver, called the *Deseada*, under Spanish colours, with a cargo of slaves on board, had received supplies in a bay about a league from the principal town and port of the Island of Curaçoa, and had been there communicated with by a Netherland ship of war.

You will perceive, from the last of these 3 despatches, that Mr. Belford Wilson was informed by the Netherland Consul at Caracas that it appeared that the speculation in which this vessel

was engaged was Danish, and had been got up by persons resident in the Island of St. Thomas.

I have therefore to instruct you to communicate the inclosed papers to the Danish Government, with a view to those inquiries which they will no doubt think fit to make as to the truth of the above statement.

I am, &c.

Sir H. Wynn.

PALMERSTON.

FRANCE.

*No. 279.—The Marquis of Normanby to Viscount Palmerston.
(Received August 2.)*

MY LORD,

Paris, August 1, 1850.

WITH reference to your Lordship's despatch of the 28th September last, I have the honour to transmit the copy of a letter and its inclosures, which I have received from General de Lahitte, explanatory of the conduct of the French authorities in the River Gaboon.

I have, &c.

Viscount Palmerston, G.C.B.

NORMANBY.

(Inclosure 1.)—General de Lahitte to the Marquis of Normanby.

M. L'AMBASSADEUR,

J'AI eu l'honneur d'annoncer, le 9 Novembre dernier, à votre Excellence que des ordres étaient donnés pour obtenir des explications précises relativement à des faits de Traite des Noirs qui, d'après des rapports reçus par le Gouvernement de Sa Majesté Britannique, auraient eu lieu dans la Rivière du Gabon sans que les autorités Françaises pussent intervenir pour y mettre obstacle.

Je m'empresse d'envoyer à votre Excellence des extraits de 2 rapports émanés du Commandant de notre station des côtes occidentales d'Afrique, et du Gouverneur de Sénégal, qui justifient complètement, ainsi que je le prévoyais, les autorités Françaises des imputations dont elles avaient été l'objet. Ces pièces établissent en effet que la traite proprement dite ne se fait plus au Gabon, et que si, de temps en temps, des transports isolés d'esclaves ont lieu dans des pirogues sur les innombrables canaux et marigots aboutissant aux Rivières Mondan, Gabon, &c. &c., dont les embouchures ont 2 lieues de large, la surveillance la plus active est sans cesse exercée dans le but de les empêcher.

Du reste, et quelque peu nécessaire que ce fût, de nouvelles instructions ont été données pour qu'une police encore plus sévère eût lieu dans les parages où ces actes isolés pourraient s'accomplir. En prenant lecture des documents que je lui adresse, votre Excel-

lence pourra se convaincre du zèle qu'apportent nos officiers dans la répression d'un trafic dont nos 2 Gouvernements ont également à cœur d'amener la suppression.

Agréez, &c.

S.E. le Marquis de Normanby.

GEN. DE LAHITTE.

(Inclosure 2.)—*Captain Bouet-Willauwez to General de Lahitte.*

M. LE MINISTRE,

Gorée, le 26 Janvier, 1850.

J'AI reçu en arrivant à Gorée votre dépêche du 17 Novembre, par laquelle vous déduisez de l'assertion de M. le Capitaine Chamberlain, de la Marine Britannique, que des faits de traite ont lieu journellement au Gabon. Rien n'est plus faux.

Comme la lettre du Capitaine Chamberlain a motivé d'ailleurs une dépêche de Lord Palmerston, je vais entrer à ce sujet dans de longs détails, renouvelés de ceux déjà donnés par moi aux Conférences de Londres en 1845.

Ce fut en 1845 que les chefs Gabonnais, tous signataires des Traités de souveraineté que j'avais passés avec eux au nom de la France, reçurent l'ordre de détruire les barracons de Traite des Noirs, qui existaient depuis longtemps sur leur territoire devenu désormais Français; que les négriers Espagnols ou Portugais furent sommés sous peine d'être emprisonnés et traduits devant les tribunaux de la France, d'évacuer la rive gauche du Gabon, eux et leurs marchandises, bien qu'ils protestassent de leur intention d'y faire, disaient-ils, le commerce licite. Dans cette occasion, nous fûmes donc beaucoup plus sévères que les ordres du Ministre eux-mêmes, et le 1er Janvier, 1846, jour qui leur avait été fixé pour délai, on cessa de voir sur les rives du Gabon ces hideux barracons où s'entassaient, par centaines, les victimes de la cupidité des négriers que nous chassâmes tous impitoyablement.

Ils furent se réfugier à une vingtaine de lieues plus près du sud près du Cap Lopez, dans la localité de Sangatang, localité environnée de bancs et de rescifs, entre lesquels les croiseurs ne peuvent pénétrer, par suite de leur grand tirant d'eau. Sangatang, qui était déjà un asile de négrier, prit alors un développement considérable et s'accrut de tous les éléments de traite provenant de l'intérieur par les nombreux canaux et marigots qui rayonnent autour des Rivières de Mondah, du Gabon, et vont aboutir à Sangatang par le nord, comme ceux de la Rivière Nazareth y vont aboutir par le sud. Bref, il arriva à Sangatang ce qui arrive depuis vingt ans à ma connaissance à Sherboro, Gallinas, dont les marchés d'esclaves ont été souvent approvisionnés par les caravanes qui viennent déboucher de Sierra Leone, pour se diriger ensuite avec ces esclaves par les cents canaux et marigots intérieurs qui relient le bassin de Sierra Leone à ces foyers de traite eux-mêmes. Aussi les officiers Anglais en détruisant et incendiant itérativement ces derniers, destructions

contre lesquelles ont protesté les commerçants Espagnols devant le Parlement Anglais, ces officiers ont-ils, d'après ce qu'ils m'ont dit à moi-même, acquis la conviction par les écrits qu'ils y ont trouvés, que les canaux qui avoisinaient Sierra Leone, et dirai-je plus, que de nombreux agents de Sierra Leone même alimentaient ces foyers de traite détruits quatre fois, et quatre fois sortis de leurs cendres aussi actifs qu'auparavant : qu'en faut-il conclure ? Que ce qui est impossible à empêcher entre Sierra Leone, cette grande colonie Anglaise, et les foyers de traite de Sherboro et de Gallinas, c'est bien plus encore entre le Gabon et Sangatang. Mais peut-on d'ailleurs qualifier de coups de traite exécutés dans une possession, les transports opérés un à un d'esclaves à vendre, d'un point à un autre, et auxquels on fait traverser les marigots de cette possession pour aboutir à un marché établi hors de son territoire ? Nullement, si on qualifiait ainsi Sierra Leone, le Sénégal et la Gambie seraient alors de grands foyers de traite perpétuels.

On appelle faits de traite, des achats, puis des incarcérations et embarquements d'esclaves tels qu'il s'en passait au Gabon avant 1846. Depuis je garantis qu'il n'y en a pas eu un seul, et quant aux caboteurs Portugais, qui viennent rarement dans la rivière y porter du café, des fruits, &c., ils sont l'objet de visites si minutieuses et tremblent tellement à l'idée des galères de France que pas un seul n'a été pris en faute depuis 1846.

Quant aux pirogues qui fréquentent par centaines, de nuit et de jour, les innombrables canaux et marigots du delta des Rivières Mondah, Gabon, &c., dont les embouchures ont 2 lieues de large, je déclare que les quatorze bâtiments de la station ne suffiraient pas plus à en faire la police, que l'autorité Anglaise n'est parvenue à faire celle des pirogues qui fréquentent les Rivières de Bance, Kates, Kasamanska, Cockboro, Yaltuka Oagroo, Junck ; pas plus enfin que les croisières Anglaises, Portugaises, et Françaises ne sont parvenues à faire celle des milliers d'embarcations qui relient entre eux par la mer, tous les foyers de la traite des côtes de Loango, du Congo, d'Angola, et Benguela ; et, plus au nord, celles qui hantent l'Archipel des Bissagots ; on y a renoncé après avoir reconnu tout simplement qu'il était impossible de s'assurer si les hommes qui les montaient avaient droit ou non de s'y trouver. Il n'y avait donc et il n'y a encore qu'un moyen de tuer cette traite indirecte, c'était de détruire le foyer de traite de Sangatang lui-même. Tel fut le parti auquel je m'arrêtai, et je résolus de purger les environs de notre possession de ce criminel voisinage. Je m'étais à peu près décidé à détruire l'établissement de Sangatang, et m'étais dirigé sur le Gabon dans ce but en quittant le Sénégal au mois de Juillet ; mais le bruit de mes heureux coups de main sur Grand Bassam, New Sestra, &c., m'avait devancé, et quand je mouillai devant le Cap Clara, les

négriers de Sangatang avaient complètement évacué leurs barracons de traite ; les émissaires que j'y entretenais m'apprirent que depuis un mois, esclaves, négriers, marchandises illicites, tout cela était maintenant au-delà des montagnes boisées, dans l'intérieur, et que je ne trouverais à détruire qu'en arrivant sur le littoral que sept ou huit barracons de paille dans lesquels les troqueurs avaient déposé publiquement les produits Africains les plus licites, savoir ; des bois de teinture, de l'ivoire, et des étoffes Françaises ; que ces troqueurs resteraient seuls à m'attendre, et se contenteraient de dresser procès-verbal de ce que j'incendierais ; que d'ailleurs on ne voulait résister à aucune de mes attaques.

Dans cette occurrence je fus obligé d'ajourner la destruction de Sangatang, qui continue et continuera longtemps encore à être souvent alimenté plus ou moins d'esclaves par les marigots des rivières voisines, de même que les foyers de traite de Sherboro, &c., de Gallinas, ont été longtemps alimentés et le seront sans doute encore par les canaux multiples qui environnent comme un réseau le plateau montagneux de Sierra Leone. Voilà ce qui est vrai, voilà ce qu'on peut répondre au Gouvernement Anglais.

Je termine en faisant de nouveau connaître au Département de la Marine, que les Chefs Gabonnais qui reconnaissent notre souveraineté, et c'est la totalité, ont été prévenus que s'ils étaient pris en flagrant délit de traite, ils seraient incarcérés et conduits au Sénégal. Aucun ne l'ignore et se gardera bien de se faire surprendre par un croiseur en coopérant à ce trafic sur son territoire ou dans des eaux devenues Françaises.

Je vais adresser de nouveaux ordres au Commandant du bâtiment stationnaire au Gabon, lesquels ne seront d'ailleurs que la répétition des précédents ; mais je connais d'avance sa réponse ; à l'impossible nul n'est tenu ; les croiseurs Anglais d'Angola, des Bissagots, &c., en ont souvent fait une pareille.

Agréez, &c.

M. le Général de Lahitte.

BOUET-WILLAUMEZ.

(Inclosure 3.)—*The Governor of Senegal to General de Lahitte.*

M. LE MINISTRE,

Saint Louis, le 16 Mars, 1850.

PERSONNE n'a jamais nié que l'établissement de Sangatanga, voisin de la Rivière du Gabon, est un des foyers de traite les plus actifs de la côte. J'ai fait connaître, il y a longtemps, que malgré toute notre surveillance il ne nous était pas toujours possible d'empêcher les Noirs de se rendre par l'intérieur des terres, du côté du Cap Lopez. Quant aux nombreuses pirogues qui, d'après le rapport de M. le Capitaine Chamberlain, du navire de Sa Majesté Britannique le *Britomart*, descendent en grand nombre le Gabon, pour se rendre à ce foyer de Traite, j'ai peine à le croire. J'ai, moi-

même, longtemps séjourné au Gabon, et, malgré un service actif, il m'a été impossible de réussir à les rencontrer. Les choses auraient donc bien changé depuis cette époque.

Je crois donc pouvoir vous assurer qu'il y a au moins une grande exagération dans ce rapport. Les ordres les plus formels existent pour empêcher cet infame trafic au Gabon. J'ai, moi-même, en 1845, chassé tous les Brésiliens et Portugais qui avaient des établissemens chez Denis; vous pouvez donc, M. le Ministre, assurer le Gouvernement de Sa Majesté Britannique, que notre concours généreux et philanthropique n'a pas manqué pour mettre un terme à ce commerce, non seulement au Gabon, mais partout. Quoiqu'il en soit, j'ai de nouveau donné les ordres les plus sévères à M. le Commandant de ce comptoir, et je crois que, de son côté, M. le Commandant de la station a donné des instructions semblables à MM. les Commandants des bâtimens sous ses ordres. Sans vouloir garantir qu'on empêchera d'une manière absolue la traite au Gabon, je crois cependant pouvoir assurer qu'elle sera réprimée, si, en effet, malgré tous nos soins, elle s'y faisait encore aussi publiquement que semble le dire M. le Commandant du *Britomart*.

Agrééz, &c.

M. le Général de Lahitte.

BAUDIN.

No. 280.—Viscount Palmerston to the Hon. R. Edwardes.

SIR,

Foreign Office, September 11, 1850.

I HAVE received Lord Normanby's despatch of the 1st ultimo and its inclosures, containing the result of the inquiries made by the French Government respecting the alleged existence of Slave Trade within the limits of the French jurisdiction in the River Gaboon; and I have to instruct you to express to General de Lahitte the thanks of Her Majesty's Government for the fresh orders which have been issued by the French Government for the prevention of that traffic in those quarters.

I am, &c.

The Hon. R. Edwardes.

PALMERSTON.

No. 282.—Viscount Palmerston to M. Marescalchi.

SIR,

Foreign Office, March 4, 1851.

WITH reference to M. Drouyn de Lhuys' letter to me of the 24th of September, 1849, in which his Excellency requested to be furnished with a list of all vessels met with by Her Majesty's cruizers on the west coast of Africa since the conclusion of the Convention of the 29th of May, 1845, which had been found to have hoisted the French flag without a right to do so; I have now the satisfaction of informing you that Her Majesty's Government have

received information from the Commodore in command of Her Majesty's squadron on the west coast of Africa, that no vessels have been found improperly hoisting the French flag during the year 1850.

I am, &c.

M. Marescalchi.

PALMERSTON.

MUSCAT.

No. 284.—Viscount Palmerston to Major Hamerton.

SIR,

Foreign Office, September 18, 1850.

I HAVE received, through the Admiralty, a translation of the letter which was addressed to you on the 6th of May last by the Imaum of Muscat, by which His Highness has granted permission to Her Majesty's ships employed on the east coast of Africa to enter creeks, rivers, and ports between Sanga Manara and Cape Delgado for the purpose of suppressing Slave Trade; and I have to instruct you to express to His Highness the sincere thanks of Her Majesty's Government for this further proof of his desire faithfully to fulfil the engagements which he has contracted with this country for the total suppression of that traffic.

I am, &c.

Major Hamerton.

PALMERSTON.

No. 285.—Viscount Palmerston to Major Hamerton.

SIR,

Foreign Office, February 8, 1851.

I HAVE received from the Admiralty a report of the destruction of the slave-barracoons at Masani and Keonga, within the dominions of the Imaum of Muscat, by the boats of Her Majesty's ships *Castor* and *Dee*, on the 27th of May and 7th of June last.

As the success which attended the operations at Keonga appears to have been in some measure owing to information given by one of the Banyans who was made prisoner at the previous destruction of the slave-barracoons at Masani, I have to inform you that Her Majesty's Government much wish that a pardon should be granted to that person, as he has atoned for the offence which he had before been guilty of, by enabling the British officers to strike so effective a blow at this piratical system.

I am, &c.

Major Hamerton.

PALMERSTON.

No. 286.—Major Hamerton to Viscount Palmerston.

(Received March 31, 1851.)

(Extract.)

Zanzibar, October 14, 1850.

I HAVE the honour to forward the accompanying copy of a Treaty concluded between Her Majesty and the Sultan of Johanna,

by the late Josiah Napier, Esq., Her Majesty's Consul for the Comoro Islands, and dated 3rd June, 1850.*

This document, together with copies of the same, were given to me by the late Mr. Napier before his death; he intended to have forwarded them to your Lordship with a letter, but he was not able to write during the time he was here.

Viscount Palmerston, G.C.B.

ATKINS HAMERTON.

PERSIA.

No. 290.—Lieut.-Colonel Sheil to Visc'. Palmerston.—(Rec. April 14.)
(Extract.) *Tehran, February 20, 1850.*

THE Resident in Bushire has received a report from the British Agent in Bussorah, that four vessels, laden with negro slaves, had lately arrived at Mohamrah. The letter in English, of the latter person, reporting this circumstance, is so incoherent and unintelligible, that it would be useless to transmit a copy to your Lordship.

I have the honour to inclose a copy of a letter I have addressed to the Persian Prime Minister, announcing this fresh instance of a breach of the Shah's orders, and of his reply, in which he states that strict orders have been issued not only for the punishment of Sheik Jabir, the Governor of Mohamrah, but for the enforcement of the prohibition against the importation of slaves into any Persian port.

Viscount Palmerston, G.C.B.

JUSTIN SHEIL.

(*Inclosure 1.*)—*Lieut.-Colonel Sheil to the Ameer-i-Nizam.*
(Translation.) *February 10, 1850.*

I FORMERLY complained to you relative to several Governors and Sheiks not having executed the orders of the Persian Minister in putting an end to the importation of negro slaves. It has now become known that their irregularities and excesses have increased. According to what has been communicated to me by the Resident at Bushire, 4 bugalos, with cargoes of Abyssinian and Bambassian slaves, have recently arrived at Mohamrah, and 1 of these bugalos is the property of Sheik Jabir, the Governor of that place. The greater number of the persons who are guilty in this respect, and dare to engage in this traffic, reside in Mohamrah, and they are Sheik Jabir and his dependants. I trust the Ministers of this Government will issue suitable orders relative to those who commit such deeds, and punish them accordingly, as they have both acted in

contravention of His Majesty's orders, and have also shown a bad example to others.

The Ameer-i-Nizam.

JUSTIN SHEIL.

(*Inclosure 2.*)—*The Ameer-i-Nizam to Lieut.-Colonel Sheil.*

(Translation.)

February 18, 1850.

I HAVE received the communication which you addressed to me, to the effect that, recently, in opposition to the strict orders of His Majesty the Shah, 4 bugalos, the property of Sheik Jabir and his dependants, laden with negro slaves, had arrived at the port of Mohamrah, and that the perpetrators of this act should be fully punished, as an example to others.

The circumstances were represented by me to His Majesty the Shah. As this act was in opposition to the orders and wishes of His Majesty, imperative orders have been issued by His Majesty to the Prince Ardesheer Meerza, Governor of Arabistan, that the culprits should be called to the fullest account, and that he should prohibit hereafter all and sundry of the dependants of this Government from embarking negro slaves in their ships. Not only were orders issued to the Prince Ardesheer Meerza, but the strictest injunctions were sent to all the Governors on the shores and in the ports of the Persian Gulf, that they should not bring negro slaves by sea to the ports of the Persian Government.

Lieut.-Colonel Sheil.

No. 291.—*Lieut.-Colonel Sheil to Visc^t. Palmerston.*—(*Rec. Sept. 2.*)

(Extract.)

Camp, near Tehran, July 22, 1850.

I HAVE the honour to transmit, for your Lordship's information, a copy of a despatch with its inclosure which I recently received from Colonel Hennell, reporting the continued importation of slaves into Persia by Persian vessels.

Viscount Palmerston, G.C.B.

JUSTIN SHEIL.

(*Inclosure.*)—*Lieut.-Colonel Hennell to Lieut.-Colonel Sheil.*

(Extract.)

Bushire, June 20, 1850.

I HAVE the honour to forward for your information the inclosed translated extract of a letter from our Agent at Lingah, reporting the arrival of 2 vessels from Berberah, bringing cargoes of female slaves to the former port. He also states that another vessel that had been chartered by 2 individuals belonging to Karrack, had brought up 40 slaves from Zanzibar.

Lieut.-Colonel Sheil.

S. HENNELL.

No. 292.—Lieut.-Colonel Sheil to Visc^t. Palmerston.—(Rec. Nov. 1.)
(Extract.) *Camp, near Tehran, September 16, 1850.*

I HAVE the honour to inclose copies of 2 despatches I have received from the Resident in the Persian Gulf, in which Colonel Hennell reports various recent infractions of the Shah's firman against the importation of slaves by sea. The Slave Trade in the south of Persia is described to be in a flourishing condition.

The slaves brought by sea to Persia are, I conjecture, chiefly exported from the African dominions of the Imaum of Muscat, and many of these negroes are probably the subjects of His Highness. As the exportation of slaves from the dominions of the Imaum is illegal, in consequence of his Treaty with Great Britain, I beg leave to offer to your Lordship's consideration whether, according to international law, the kidnappers and carriers of such negroes are not to be deemed like pirates, and whether, as public enemies, their vessels and property are not subject to confiscation.

Viscount Palmerston, G.C.B.

JUSTIN SHEIL

No. 293.—Lieut.-Colonel Sheil to Visc^t. Palmerston.—(Rec. Dec. 2.)
MY LORD, *Tehran, October 23, 1850.*

I HAVE the honour to inclose copies of 3 despatches I have received from the Resident in the Persian Gulf, reporting various instances of the importation of slaves into this country. This trade appears to be constantly on the increase. I also beg leave to inclose a translation of a letter I have addressed to the Persian Minister, announcing these infractions of the Shah's firman, and a translation of his reply.

I have, &c.

Viscount Palmerston, G.C.B.

JUSTIN SHEIL.

(Inclosure 1.)—Lieut.-Colonel Hennell to the Acting Governor of Bushire.

(Translation.)

July 31, 1850.

I BEG to acknowledge your note intimating that on being informed of the irregular proceeding of the Nakhoda of Hajee Shaab's vessel in importing male and female slaves into Bushire by sea, contrary to the orders of the Persian Government, you had arrested the Nakhoda and detained the ghoncha, and that you were quite prepared to take any further steps in the affair that might be required by me, so as to obviate the necessity of troubling the Persian authorities on the subject.

Although it is no business of mine to prescribe to you what measures should be adopted to punish those persons who have so openly violated the royal orders, seeing that all I have to do is simply to report to Her Majesty's Minister at the Court of Tehran

the circumstances of the case and the measures you have taken thereon; I would, nevertheless, in the way of friendship, remind you that on the late occasion of a bugalo belonging to Hajee Khan of Dashtee, landing a number of slaves in Bushire, his Excellency the Prime Minister was pleased to order that a fine of 300 tomans should be levied upon the Nakhoda, and that the vessel should be seized and detained until the amount in question be paid. It would, therefore, probably be satisfactory to his Excellency to learn that you had already taken similar steps in the present affair. Regarding the 15 male and female slaves brought up, I would suggest that they should remain under your charge until orders from Tehran be received in respect to their disposal.

The Acting Governor of Bushire.

S. HENNELL.

(Inclosure 2.)—The Acting Governor of Bushire to Lieut.-Colonel Hennell.

I BEG to represent to you on the subject of the affair of Hajee Shaab's ghoncha, of which you had before informed me, to the effect that the persons engaged in this business should at your request, and by order of the Government (Persian), be imprisoned, and that according to the command of the State they should be liable to be fined on account of this act. As they were for some time imprisoned, and had no one in any way to settle their affair, several persons of their tribe waited upon me and became their security. I took a bond from them to allow them to go out and to settle their own business regarding the fine and other affairs. I will exert myself in this case. Please God, after the receipt of the orders of the Government, whatever command may be issued and you consider advisable, the same shall be performed. I have, however, a request that if it be possible to represent to the Government (Persian) to lessen the fine, as they are very poor, and are not men of capital. Further, it is left at your own disposal. The ghoncha also is under embargo until the affair be settled. On the subject of the male and female slaves, no doubt Hajee Ahmed has informed you that one of them, belonging to Hajee Mahmood, has died, and another, belonging to Hajee Mahomed of Bahrein, is, he says, his wife, and has children by him; and, he asserts, the Government Agent at Muscat is acquainted with the same. Both Hajee Mahmood and Hajee Mahomed Bahreinie have written declarations. The remainder are under my surveillance until orders be received. As it was necessary, I have detailed these particulars to you.

(Inclosure 3.)—*Lieut.-Colonel Sheil to the Ameer-i-Nizam.*

(Extract.)

(Translation.)

October 16, 1850.

DURING the past few days I have received further details with reference to the Traffic in Slaves, which has increased to a great extent, of some of which details it is necessary for the Ministers of this Government to be informed.

One of the bugalos belonging to Mahomed ben Khemus, commanded by a person named Hoossein, had a cargo of slaves from Lingah, some of whom were sold in the Island of Kishm, and others were landed by night in the port of Lingah secretly; the number of those slaves was not ascertained, but this much they knew, that they were numerous.

In the port of Congoon several vessels have brought large numbers of slaves, and sold them openly in the market. One of these, a Lingah bugalo, has brought about 30 slaves, and a Bushire merchant 6; the customs' duty is charged at 6s. a-head in that place.

A bugalo, belonging to Sheik Jabir, has come from Mohamrah to the port of Lingah, commanded by Abdoollah ben Kelân, and having a cargo of 22 slaves.

Another vessel, belonging to Hajee Kassim, commanded by a person named Foulâd, has brought 5 slaves from Congoon, and landed them at Halilah.

Another vessel from Karrack has brought 32 slaves to Mohamrah and Bussorah. She was commanded by Shaheen.

I informed your Excellency before, that Hajee Shaab had brought slaves to Bushire, and that his vessel was seized by Sheik Abdoollah (the acting Governor), but up to the present time no instructions from your Excellency have reached them in that place.

The Ameer-i-Nizam.

JUSTIN SHEIL.

(Inclosure 4.)—*The Ameer-i-Nizam to Lieut.-Colonel Sheil.*

(Translation.)

October 20, 1850.

I HAVE received the letter you addressed to me on the 16th October, relative to the vessels bringing negro slaves by sea, and have understood its contents. Your Excellency knows that I have heretofore exerted myself in this matter as I have already stated to you, and I continue and will continue to do so. I have repeatedly written in detail to His Royal Highness Feerooz Meerza, the Governor of Fars, that after examining into the circumstances, and ascertaining their authenticity, he should punish severely every one guilty of this crime. It is clear that, after receiving these letters, if any steps have remained unfulfilled, the exertions of the Prince will have brought them nearly to a conclusion. It is evident to your

Excellency that, in the commencement of every affair, until it has been properly organized, there will be an appearance of vacillation and weakness; and if in this matter there should appear to your Excellency to be any delay on the part of those who have been appointed to superintend it in carrying out the orders they have received, and of delay on the part of the guilty in obeying the orders issued, it is for the above reason and that alone. I am and will continue to be most desirous [to put a stop to the traffic]. It is probable that a certain amount of carelessness has been shown on the part of those in the direction of Bender Abbas and of Sheik Syf. Please Heaven, by the repeated commands of His Majesty the Shah, whoever shall have been remiss will receive punishment. I have sent, by a courier, fresh orders to His Royal Highness the Governor of Fars, and to Sooleiman Khan, Governor of Looristan and Arabistan; and I have written this letter for your Excellency's information.

No. 294.—Viscount Palmerston to Lieut.-Colonel Sheil.

SIR,

Foreign Office, December 13, 1850.

I HAVE received and laid before the Queen your despatch of the 23rd of October last and its inclosures, respecting the continued importation of slaves into the Persian Gulf; and I have now to instruct you to ask the Ameer-i-Nizam, for the information of Her Majesty's Government, what punishments have been inflicted upon any Persian subjects for having been engaged in the Slave Trade.

I am, &c.

Lieut.-Colonel Sheil.

PALMERSTON.

No. 295.—Lieut.-Colonel Sheil to Viscount Palmerston.

(Received January 1, 1851.)

(Extract.)

Tehran, November 19, 1850.

MEERZA JAFFER KHAN, the Persian Commissioner for the delimitation of the frontiers of Turkey and Persia, has written a letter to the British Resident in Bushire, asserting, in the plainest language, that the Persian Government had not renounced the traffic in negro slaves, and remonstrating against the detention, by the Governor of Bushire, of a Persian slaving-vessel. I have the honour to inclose, for your Lordship's information, a copy of Colonel Hennell's despatch, inclosing Meerza Jaffer Khan's letter, and a translation of a letter I addressed to the Persian Minister, relative to this open disregard of the Shah's orders. In reply to my letter, the Persian Minister sent me a message that he was already aware of the indiscreet conduct of Meerza Jaffer Khan,

whom he had in consequence reprimanded severely, repeating at the same time, in the most peremptory terms, his former orders.

Viscount Palmerston, G.C.B.

JUSTIN SHEIL.

(*Inclosure 1.*)—*Lieut.-Colonel Hennell to Lieut.-Colonel Sheil.*

SIR,

Bushire, September 27, 1850.

For some time past reports have been current among the merchants of this place that Meerza Jaffer Khan, the Persian Commissioner for settling the boundaries between Turkey and Persia, had publicly given out at Mohamrah, that the Persian Government had positively refused to prohibit the importation of slaves by sea into Persian ports, and that all Persian subjects might consider themselves at full liberty to traffic in slaves to any extent they pleased, without fear of molestation on the part of the British or any other Government. Further, that he was daily expecting firmans from the Shah sanctioning this trade to its utmost extent. To these reports, however, I paid little attention, attributing them solely to Sheik Jabir, the Governor of Mohamrah, who, I thought, had set them afloat to cover his own notorious dealings in human flesh.

2. The inclosed original letter from Meerza Jaffer Khan dated the 7th of August, to my address, which I only received yesterday, would, however, make it appear that this functionary had himself been the means of propagating the reports above referred to. I need hardly remark to your Excellency the mischievous impression which they must have produced in the ports on the Persian coast. The case referred to by the Khan is that of the bugalo of Ben Shums, reported to your Excellency in my despatch of the 14th of August, 1850.

3. Although I do not believe that Meerza Jaffer Khan has any authority whatever for thus interfering in affairs so foreign to the duties intrusted to his charge, still, as it is impossible to say whether he may not have some foundation for the impression he is under regarding the real views and sentiments of the Persian Government on this question, I do not think I ought, for the present at least, do more than simply point out to the local authorities of Bushire any cases of slaves being imported into this place. The published opinion of a functionary of Meerza Jaffer Khan's rank and position may well be urged as a justification of the continuance of this traffic by those concerned therein.

I have the honour to inclose a translation of Meerza Jaffer Khan's letter.

Lieut.-Colonel Sheil.

S. HENNELL.

(Inclosure 2.)—*Lieut.-Colonel Sheil to the Ameer-i-Nizam.*

(Extract.)

November 10, 1850.

I NEED scarcely recall to your Excellency's recollection the numerous occasions on which you lately gave me assurances, both verbally and in writing, that the most peremptory orders had been despatched to the authorities of Fars and Mohamrah, prohibiting the importation of slaves.

Your Excellency knows the estimation I attached, from previous experience, to the efficacy of those orders, and the fears I expressed, that owing to remoteness and other causes, they would prove futile. Nevertheless, I did not anticipate that a person holding high rank in the Shah's service would venture to set at defiance, openly and without disguise, the commands of the Persian Ministers.

For some time past it has been notorious at Bushire that Meerza Jaffer Khan, the Persian Boundary Commissioner, had publicly announced at Mohamrah that the Persian Government had not prohibited the importation of slaves by sea into Persian ports, and that all Persian subjects were perfectly free to traffic in slaves to the fullest extent, and that he was daily expecting firmans from the Shah to that effect.

If, from motives not difficult to fathom, a person in the position of Meerza Jaffer Khan can allow himself to use such language, it is easy to imagine what the conduct will be of the Perso-Arab chiefs and of the Persian slave-merchants.

The language of Meerza Jaffer Khan is confirmed by his writings. On the occasion that the Commander of the bugalo Ben Shums was under the imputation of having imported slaves into Bushire, and suffered, in consequence, some restraint or detention from the Governor of that town, the Persian Commissioner, whose duties were supposed to be limited to the delimitation of the boundary, wrote a letter to the Resident in the Persian Gulf, remonstrating against the conduct of the Governor of Bushire, and openly affirming that the Persian Government had not abandoned the traffic in negro slaves.

The Ameer-i-Nizam.

JUSTIN SHEIL

(Inclosure 3.)—*Meerza Jaffer Khan to Lieut.-Colonel Hennell.*

(Translation.)

Mohamrah, August 7, 1850.

It has been reported that the bugalo belonging to Abool Hoossein, a merchant residing in Mohamrah, has been detained in Bushire on her way up from Bombay, upon the pretext that she had male and female slaves on board; yet, supposing the accusation to be true, it affords no reason for the detention of the bugalo, or of any vessel belonging to a Persian subject, seeing that the Persian Government has not as yet given up the practice of buying and

selling slaves, and has entered into no engagement to do so. At the time when the Commodore was in Mohamrah, I spoke with him on this subject. He agreed with me and said, "We (the English) have no right either to search or interfere with vessels under the Persian flag. They constantly bring up male and female slaves, and we do not forbid them." Accordingly, in the event of the occurrence above referred to having taken place, I hope you will liberate the aforesaid bugalo, and do me the favour to issue instructions, that no person on any pretext whatever annoy vessels carrying the Persian flag, on account of male and female slaves.

No. 296.—Viscount Palmerston to Lieut.-Colonel Sheil.

SIR,

Foreign Office, March 8, 1851.

I HAVE received and laid before the Queen your despatch of the 19th of November, 1850, and I have in reply to inform you, that Her Majesty's Government approve of the note which you addressed on the 10th of November, 1850, to the Ameer-i-Nizam, in consequence of the announcement which had been made by Meerza Jaffer Khan, the Persian Boundary Commissioner, that the importation of slaves by sea had not been prohibited by the Persian Government.

I am, &c.

Lieut.-Colonel Sheil.

PALMERSTON.

No. 297.—Lieut.-Colonel Sheil to Visc'. Palmerston.—(Rec. Mar. 21.)

MY LORD,

Tehran, January 22, 1851.

I HAVE the honour to transmit to your Lordship a copy of a despatch I received to-day from the Resident in the Persian Gulf, relative to the importation of slaves. A special messenger had arrived at Bushire with positive orders against this traffic, and announcing that a fine of 100 tomans would be imposed on every person convicted of buying or selling a slave. But, as Colonel Hennell remarks, though these orders are likely to effect the abolition of the trade in negro slaves as far as Bushire is concerned, they will be inefficacious in preventing this traffic in the numerous ports on the shores of the Gulf of Persia, where the authority of the Persian Government is imperfectly established.

I formerly observed to the Persian Minister, that assuming it was in his power to abolish the importation of slaves in Persia, it was entirely beyond the faculties of this Government to prevent Persian vessels from conveying slaves to other places. Colonel Hennell states that the Arabs of the opposite shores having discovered the immunity of Persian vessels from search or seizure, are

beginning to employ them in the transport of negroes from the coast of Africa.

I have, &c.

Viscount Palmerston, G.C.B.

JUSTIN SHEIL.

No. 298.—*Lieut.-Colonel Sheil to Visc'. Palmerston.*—(Rec. Mar. 31.)
(Extract.) *Tehran, February 7, 1851.*

I HAVE the honour to inclose a translation of a letter I addressed to the Persian Minister, bringing to his observation the fact of the Arabs on the opposite coast of the Persian Gulf having recourse to Persian vessels for the transport of slaves, in order to evade the conventions made by the Arab chiefs with the British Government for the abolition of the importation of negroes.

Viscount Palmerston, G.C.B.

JUSTIN SHEIL.

No. 299.—*Lieut.-Colonel Sheil to Visc'. Palmerston.*—(Rec. Mar. 31.)
(Extract.) *Tehran, February 23, 1851.*

I HAVE the honour to transmit to your Lordship a translation of a letter I have received from the British Agent at Sheeraz, reporting that messengers had been dispatched by the Prince Governor to 4 ports on the Persian Gulf, with orders to the local chiefs to punish and fine the importers of negro slaves. As these chiefs are themselves frequently engaged in this trade, the orders of the Government are not likely to be carried into execution.

Viscount Palmerston, G.C.B.

JUSTIN SHEIL.

PORTUGAL.

No. 302.—*Viscount Palmerston to the Hon. H. G. Howard.*

SIR,

Foreign Office, April 15, 1850.

IN my preceding despatch of this day's date, it was my pleasing office to instruct you to convey to Count Tojal the thanks of Her Majesty's Government for the very gratifying communication which was made to you by his Excellency in his note of the 4th ultimo respecting the destruction of slave barracoons on the west coast of Africa, between Quicombo and Mossamedes, by order of the Portuguese naval commander on that station; a communication which Her Majesty's Government received with additional satisfaction from the observation with which it was accompanied by Count Tojal, to the effect that the destruction of those barracoons served to show the anxiety felt by Her Most Faithful Majesty's Govern-

ment for the total extinction of the inhuman traffic in slaves, and the efforts which were employed to that end as soon as the slightest indication of its existence is observed in any part of Her Most Faithful Majesty's dominions.

It is now my less agreeable duty to instruct you to point out to Count Tojal some facts which have come to the knowledge of Her Majesty's Government, showing that the wishes and authority of the Portuguese Government, and the Treaty engagements of the Portuguese Crown respecting the Slave Trade, have been contravened, as it may be said, under the very eye of the Government.

You will see by the inclosed copy of a letter addressed to the Superintendent of Her Majesty's packets at Southampton, by Lieutenant Rainier, Admiralty Agent on board the Peninsular and Oriental Steam Packet Company's ship *Montrose*, that several vessels intended for the Slave Trade have recently been fitted out in the Tagus; and as it is evident from what is stated by Lieutenant Rainier, that this could not have been done without the connivance of some of the subordinate officers and departments of the Portuguese Government, you will request the earnest attention of Count Tojal to this matter, and urge the Portuguese Government to lose no time in putting a stop to such abuses, and in taking steps to bring the conduct of the guilty parties before the proper legal tribunal.

I am, &c.

The Hon. H. G. Howard.

PALMERSTON.

No. 304.—Viscount Moncorvo to Viscount Palmerston.

MY LORD,

Portuguese Legation, April 19, 1850.

IT will be in your Lordship's recollection that after my addressing on the 23rd January last a note to your Excellency on the subject of the Portuguese brig *Galliana*, which had been seized as suspected of proceeding on the Slave Trade, by the war-steamer *Cyclops*, Captain Hastings, of the British Navy, and taken to Loanda before the Mixed Commission, which declared illegal the seizure of the *Galliana*: that at an interview which I had the honour to have with your Excellency at the Foreign Office on the 26th of the same month of January, I addressed myself once more to your Excellency on the same subject, repeating that request I had made in my note.

Your Excellency's reply to me was, that the subject would be taken into consideration; and your Excellency was pleased to add, that you recollected extremely well the case of the *Galliana*, on which you commented for some time, concluding, however, by saying that the decision of the Mixed Commission must be carried into execution, and that your Excellency was almost sure that the necessary directions had already been issued to pay to the master and owners of the *Galliana* whatever they were entitled to receive in

consequence of the decision or sentence given in their favour by the Mixed Commission.

To my note of the 23rd January, your Excellency sent me a reply in your note of the 18th February, the contents of which I immediately brought to the knowledge of Her Most Faithful Majesty's Government; but though your Excellency's answer was certainly satisfactory to a certain extent, as far as it regarded the proceeding on the part of the British Commissioner in reference to the case of the *Galliana*, yet on the principal point—that of the payment of the sums to the master and owners of the *Galliana*, to which they were entitled for the damages and losses they had received in the seizure of their vessel, nothing was said.

Notwithstanding that omission in your Excellency's note of the 18th February, and relying on what you had mentioned to me, though verbally, at the interview of the 26th January, the Portuguese Government has been expecting that what was legally due to those Portuguese subjects would have been paid them. Such, however, is not the case, as those parties have again memorialized our Government on the subject, seeking the natural protection and the interference of the same Government for the execution of the decision of what the Mixed Commission has awarded to them.

I had the honour to refer all this to your Excellency at the interview of the 13th instant, and in accordance with your Excellency's suggestion, I now once more apply in writing, claiming by command of my Government, on behalf of the master and owners of the *Galliana*, the payment of what is legally due to them without any further delay.

I have, &c.

Viscount Palmerston, G.C.B.

TORRE DE MONCORVO.

No. 305.—Viscount Moncorvo to Viscount Palmerston.

MY LORD,

Portuguese Legation, April 20, 1850.

I HAVE now the honour of laying before your Excellency in writing the proposal which, by order of my Government, I am commanded to offer to your Excellency's consideration, and on which subject I have already spoken to your Excellency.

When the Viscount de Castro was Secretary of State for Foreign Affairs, some correspondence already took place between that gentleman and the British Envoy at Lisbon, Sir Hamilton Seymour, and a general disposition seemed to prevail that the Portuguese and the British Governments would come to a final understanding, as the proposal was of a nature to recommend itself.

The importance of all the Portuguese African possessions is a fact incontestably acknowledged by every one, and your Excellency was pleased to tell me that such was also your opinion, and that you were glad to hear of the growing importance of those possessions,

and that my Government was earnestly endeavouring to improve their condition, as the resources that might be derived from them in a commercial and in a political point of view were incalculable.

It is, then, impressed with a sincere desire as much to ameliorate those settlements as to introduce habits of industry among the negro population, which is the prevailing one in the African possessions, that Her Most Faithful Majesty's Government has thought it a most useful expedient and a good employment for those Africans who may be declared free and in the enjoyment of liberty by the Mixed Commission at Loanda, to be sent as free settlers and agriculturists to the Islands of St. Thomé and Príncipe, where the want of labour is evidently very great.

But I am aware of an objection which your Excellency has already repeated to me when I had the honour of speaking to you on this subject, which is the great danger that those unfortunate beings run of once more being put into slavery, after having had the good fortune of escaping from it and of obtaining legally their liberty.

To this objection, which in my humble opinion deserves great consideration, I do not hesitate to say that Her Most Faithful Majesty's Government would willingly agree to any reasonable measures of precaution that may be suggested to avoid its taking place, as the earnestness with which my Government has shown itself disposed to contribute to the total extinction of the inhuman Slave Trade is a sure guarantee that it would not see it revived in its own possessions by the abuse of a measure otherwise beneficial to the Africans who may be declared free by the Mixed Commission.

I do not think it necessary to repeat any more arguments in favour of a measure that seems to recommend itself; and I am sure the British Government will contribute to the increase of the population of those Portuguese-African possessions, when it will consider that from an act of the most generous philanthropy, the Island of Boã Vista was visited by a most awful fever, which carried off the greatest part of its population, and which was the consequence of offering a shelter to the British man-of-war *Eclair*, on board of which that fever was raging.

Should your Excellency think proper to advise Her Britannic Majesty's Government to accede to this proposal, I have then to request that the necessary instructions may be issued to the British Commissioner at Loanda, in order to carry this arrangement into effect.

I have, &c.

Viscount Palmerston, G.C.B.

TORRE DE MONCORVO.

No. 306.—*Viscount Palmerston to the Hon. H. G. Howard.*

SIR,

Foreign Office, April 29, 1850.

I HAVE received your despatch of the 9th instant, reporting that vessels intended to be employed in Slave Trade have recently been built both at Oporto and in the Tagus.

The principal facts stated in your despatch have already come to the knowledge of Her Majesty's Government through the Admiralty Agent of the Peninsular and Oriental Steam-packet Company's ship *Montrose*, and I have already by my despatch of the 15th instant, instructed you to communicate them to the Portuguese Government. I have now to state to you that it is desirable, that in future you should represent to the Portuguese Government any facts of this nature which may come to your knowledge, at the same time that you report them for the information of Her Majesty's Government.

I am, &c.

The Hon. H. G. Howard.

PALMERSTON.

No. 307.—*Viscount Palmerston to Viscount Moncorvo.*

MY LORD,

Foreign Office, April 30, 1850.

I HAVE the honour to acknowledge the receipt of your letter of the 19th instant, relative to the Portuguese brig *Galliana*, which was detained by Her Majesty's ship *Cyclops* on suspicion of being engaged in the Slave Trade, but was eventually released by sentence of the Mixed Commission Court at Loanda.

In reverting to this case, you draw my attention to the fact that the master and owners of the *Galliana* have not yet received payment of the sums to which they are entitled for the damages and losses which they have incurred by the seizure of their vessel; and you consequently claim on behalf of those parties the payment of what is legally due to them without any further delay.

I beg leave, in reply, to inform you with reference to what is already stated in my note of the 18th of February last, to which you refer, that Her Majesty's Government have not yet been made acquainted with the decision which the Mixed Court at Loanda may have come to as to the amount of damages, to which the captor is liable by virtue of the sentence of release which has been passed upon the vessel. But as soon as that information reaches Her Majesty's Government, they will take such steps as may be proper to insure to the parties aggrieved the payment of their just claims with the least possible delay.

I am, &c.

Viscount Moncorvo.

PALMERSTON.

No. 312.—*Viscount Palmerston to the Hon. H. G. Howard.*

SIR,

Foreign Office, May 16, 1850.

I TRANSMIT to you herewith copies of a despatch and its inclosures from Her Majesty's Commissioners at Loanda, relating to the

appointment of a young Portuguese named José Justiniano da Cruz Forte, to the office of Sub-Delegado, or Law Officer of the Crown, at Benguela.

This appointment, it appears, has been made by the Governor of Angola, in defiance of a law, but in disregard of the fact that this young man had shortly before been obliged to give up the office of clerk in the department of the Juiz de Direito, in consequence of such acts of misconduct as had rendered him, in the opinion of that judge, unworthy of employment in the public service.

You will see that the reason why the British Commissioners have felt it to be their duty to bring this circumstance under the notice of Her Majesty's Government is, that the delinquencies of which Don J. J. da Cruz Forte was accused, are intimately connected with the Slave Trade, and that the appointment of an individual under such circumstances to an office, among the first duties of which is the prosecution of persons engaged in that trade, the appointment becomes an object of no less interest to Her Majesty's Government than to the Government of Portugal itself.

I have consequently to instruct you to communicate the contents of these papers to Count Tojal, not doubting that when the facts which they disclose shall have been made known to the Government of Her Most Faithful Majesty, they will give orders that Don J. J. da Cruz Forte shall be removed from a post which he is so ill qualified to fill, and in which he must have such means of defeating the ends of justice and of preventing the full operation of the Treaty between Great Britain and Portugal for the suppression of the Slave Trade.

I am, &c.

The Hon. H. G. Howard.

PALMERSTON.

No. 313.—The Hon. H. G. Howard to Visc^t. Palmerston.—(Rec. May 25.)
MY LORD, *Lisbon, May 18, 1850.*

I HAVE the honour to transmit to your Lordship a copy and translation of a note which I have received from Count Tojal, in answer to one which in obedience to your Lordship's orders I addressed to his Excellency on the 24th ultimo.

Your Lordship will perceive from the accompanying note, that the Minister of Marine has enjoined the Governor-General of Angola to keep a strict watch upon all vessels arriving at that colony from this capital, and that his Excellency states that the information which has been furnished to Her Majesty's Government appears to be incorrect, inasmuch as it would be difficult, in the opinion of Viscount de Castellões, to equip vessels for the Slave Trade in this port, without the knowledge of the authorities.

I have, &c.

Viscount Palmerston, G.C.B.

H. G. HOWARD.

(*Inclosure.*)—*Count Tojal to the Hon. H. G. Howard.*

(Translation.)

Lisbon, May 15, 1850.

IN answer to the note which you were pleased to address to me on the 24th of April last, informing me that it had come to the knowledge of Her Britannic Majesty's Government that some vessels destined for the illicit traffic in slaves had lately been equipped in the Tagus, and demanding prompt measures in this respect; I have the honour to state to you that the Minister of Marine communicated to me on the 13th instant that he had issued the necessary orders to the Governor-General of Angola, to the end of keeping a vigilant watch upon vessels arriving there from this capital, and his Excellency adds that the information given to Her Majesty's Government appears to him not to be correct, as it is well known how difficult it would be to prepare vessels in this port for that end, without the knowledge of the competent authorities. I avail, &c.

The Hon. H. G. Howard.

COUNT TOJAL.

No. 316.—The Hon. H. G. Howard to Visc^t. Palmerston.—(Rec. June 14.)

MY LORD,

Lisbon, June 7, 1850.

I HAVE the honour to transmit to your Lordship a copy and translation of a note and of its inclosures which I have received from the Minister for Foreign Affairs, respecting the state of the Slave Trade on the west coast of Africa.

The object of the inclosed correspondence (which consists of a despatch from the Governor-General of Angola to the Minister of Marine; of one from the Governor of Benguela; and of the report, with its inclosures, of the Commander of the Portuguese Naval Station on the west coast of Africa) is to disprove the assertion contained in a note of Sir Hamilton Seymour, of the 3rd June of last year, to the effect that the Slave Trade had increased on the coast of Africa, between St. Paul de Loanda and Benguela.

Your Lordship will not fail to remark that the statements made in these despatches are entirely at variance with the reports of Commodore Hotham; and you will, perhaps, also observe that while the Governor of Angola contents himself with merely asserting that, during his administration, the traffic had not increased, the Commander of the Portuguese Naval Station writes that, during the same period, the inhuman traffic had considerably diminished.

There is one fact, however, of Governor Cordeiro's report, to which it is right I should call your Lordship's attention, and that is, the opinion which he gives, that were it not for American vessels (which he states to be the most numerous in carrying on the trade), its entire abolition would have been long since effected. As a proof of this being the case, he mentions that an American slaver re-

mained for 25 days in sight of the English and Portuguese cruizers, but, being outside the line of demarcation, they were unable to capture her.

I have the honour to forward, likewise to your Lordship, a copy of the note which I have addressed to Count Tojal, in reply to his Excellency's note of the 25th ultimo, which I should mention, only reached my hands on the 30th.

I have, &c.

Viscount Palmerston, G.C.B.

H. G. HOWARD.

No. 320.—Viscount Palmerston to the Hon. H. G. Howard.

SIR,

Foreign Office, June 20, 1850.

I TRANSMIT to you herewith copies of 3 despatches, and of their respective inclosures, from Commodore Fanshawe, containing, first, a correspondence which passed in the month of January last between Captain Hastings, of Her Majesty's ship *Cyclops*, and the Governor-General of Angola, respecting the residence at Loanda of a Brazilian subject named Flores, who is notoriously engaged in slave-trading; secondly, a correspondence between Captain Hastings and the Governor-General, which passed in the month of March, respecting the existence of slave-barracoons in the province of Angola, and the increased exportation of slaves from thence; and thirdly, containing a report from Commodore Fanshawe of what passed at an interview which that officer had had with the Governor-General with reference to the several subjects above mentioned.

You will communicate these papers to the Portuguese Government, and with respect to the subject first mentioned, I have to instruct you to represent how essential it is, for the speedy suppression of the Slave Trade, that persons notoriously employed in and carrying on that criminal practice should not be allowed to reside in the Portuguese possessions on the coast of Africa.

You will at the same time draw attention to the flagrant manner in which, as appears by the reports of Her Majesty's naval officers, the laws of Portugal, the Treaty engagements of the Portuguese Crown, and the orders of the Portuguese Government, are disregarded by some of the Portuguese authorities on this part of the African coast.

With respect to the remark made by Commodore Fanshawe, in his report to the Admiralty, that the barracoons lately destroyed by the Portuguese naval commander at places near Logito and Elephant's Bay, are merely temporary sheds erected for the shelter of slaves when brought down from the main barracoons to spots appointed for shipment, you will urge the Portuguese Government to take such measures as will effectually prevent the continued existence of the

barracoons in the interior of the Portuguese possessions as well as on the coast.

I am, &c.

The Hon. H. G. Howard.

PALMERSTON.

No. 322.—Viscount Palmerston to the Hon. H. G. Howard.

SIR,

Foreign Office, July 13, 1850.

I HAVE to refer you to the correspondence which has passed with Her Majesty's Legation at Lisbon, on the subject of the proposition made by the Government of Her Most Faithful Majesty, to that of Her Majesty, that the Mixed Commissions established at Jamaica and in the Cape Verd Islands, under the Treaty of 1842, should be abolished.

In my despatch of the 20th of July, 1849, I inclosed a draft of Protocol for recording the abolition of the Courts in question, which I authorized you to sign in conjunction with the Portuguese Minister; and by your despatch of the 2nd of the following month, you stated that it was probable that the Portuguese Government would not object to the Protocol in the amended form in which I had transmitted it to you. I have not, however, since that time, received any communication from you upon the subject.

I now transmit to you a duplicate of a despatch which I have received from Her Majesty's Acting Commissioner at Jamaica, reporting that "in consequence of the proposed abolition of the Mixed Commissions at the Cape Verd Islands, and at Jamaica," M. Altavilla, the Portuguese Commissioner, had been recalled, leaving the Mixed Court at Jamaica without any representative on the part of Portugal.

It would appear from this that Count Tojal has not lost sight of the proposed arrangement for the abolition of these Commissions, although he has not replied to the proposition made by Her Majesty's Government, as to the terms in which their abolition should be recorded.

I have accordingly to instruct you to bring this matter again under his Excellency's consideration, and to request his early attention thereto.

I am, &c.

The Hon. H. G. Howard.

PALMERSTON.

No. 323.—The Hon. H. G. Howard to Visct. Palmerston.—(Rec. July 15.)

MY LORD,

Cintra, July 8, 1850.

I HAVE the honour to transmit to your Lordship a copy and translation of a note which I have received from Count Tojal, in answer to one which, in obedience to your Lordship's directions, I addressed to his Excellency, inquiring what measures had been, or were about to be taken, to put an end to the condition of slavery in all the dominions of the Portuguese Crown.

The Minister of Marine, your Lordship will observe, has stated to Count Tojal that he is unable to furnish more ample information upon this subject than that which is given in his report recently laid before the Cortes. A copy and translation of the passage in this report which relates to the emancipation of slaves, I have likewise the honour to submit herewith to your Lordship.

You will remark that Viscount de Castellões here states, that while immediate measures might be at once taken to put an end to slavery in India, at Macao, and likewise in the Cape de Verde Islands, the abolition, although gradual, of slavery in the Portuguese possessions on the continent of Africa, and in Timor and Solor, must, from various causes, be attended with very great danger.

His Excellency, however, who fully admits the principle that it is a duty imperative on the Governments of civilized nations to endeavour to put an end to the slavery which may exist within their dominions, adds that he would have been prepared to present to the Chambers the draft of a Bill upon this subject, if there were not already under discussion, in the Chamber of Peers, a measure having for its object the abolition of slavery in the Portuguese dominions.

I shall endeavour to procure, for your Lordship's information, a copy of this Project of Law, which has been submitted to the Chamber of Peers, not by the Government, but by a member of the opposition.

I have, &c.

Viscount Palmerston, G.C.B.

H. G. HOWARD.

(Inclosure 1.)—Count Tojal to the Hon. H. G. Howard.

SIR,

(Translation.)

Lisbon, July 3, 1850.

I HAVE the honour to inform you that the Minister of Marine, to whom I had communicated the request made by you in the name of your Government, to be informed of the measures adopted or intended to be adopted by Her Majesty's Government, for putting an end to the state of slavery in the dominions of the Portuguese Crown, has stated to me, in a despatch dated 22nd ultimo, that he cannot furnish more circumstantial information than that given to the Cortes in his report of the Department under his charge, under the head of "Emancipation of Slaves," page 9, and of which report I transmit to you a copy.

I avail, &c.

The Hon. H. G. Howard.

COUNT TOJAL.

(Inclosure 2.)—Extract of Report of the Minister of Marine.

(Translation.)

THE care of the Government, however, has not been confined solely to the suppression of the Slave Trade; nor is it now for the first time that they are devising measures with a view of putting an end, at some period, to slavery throughout the whole of the national

territory. And in order that an advance might be made gradually, yet with steadfastness and perseverance to the attainment of this noble object, without apprehension of the serious mischiefs which might ensue from measures of such a nature, when adopted without due foresight and precautions, I would lay before you the draft of a Bill, if there were not already under discussion, in the Chamber of Peers, a motion with a similar object. Nevertheless, it is not superfluous to introduce in this place a few observations regarding a measure of such high importance, especially to the provinces on the continent of Africa, and the Islands of Timor and Solor.

No one can fail to acknowledge at this day, that it is a duty imperative on the Governments of civilized nations, to endeavour to put an end to the slavery which still exists within their dominions. It is incumbent on them, however, to keep these points especially in view, that, on the one hand, anarchy and disorder may not be let loose among their subjects by the measures which may be adopted; while, on the other, the freedmen may not be deprived of the requisite protection and assistance, lest freedom should prove a fatal gift to them; and, lastly, that the slaveholders, who for the most part, in the Portuguese possessions, behave with kindness and humanity towards their slaves, may not find themselves on a sudden deprived of a source of wealth acquired under the sanction of the law, without just and equitable compensation. On all these grounds, the Government are persuaded that it would be a great mistake for any one to desire to put an end to slavery at once throughout the whole Portuguese territory. But even with reference to the slowly progressive abolition of slavery, different circumstances must be taken into consideration, to which we cannot fail to pay very serious attention, especially, as I already observed, in regard to the territories of Guinea, of the Provinces of Angola, Moçambique, and the Isles of Timor and Solor.

Direct advance may at once be made towards putting an end to slavery in India and at Macao, and likewise in the Cape de Verde Islands, as well as in those of St. Thomas and Prince's; countries where not only is the number of slaves very limited, but where it is also possible to prevent, as has been done, the importation of new slaves, and where the inhabitants are immediately subject to the authorities appointed by the Sovereign or by the royal deputies; and where at the same time the limits of the national territory are clearly defined, either by nature or by other circumstances.

This, however, is not the case in the territories on the Continent of Africa, and in Timor and Solor. There, a great portion of the inhabitants may correctly be described as in a state of vassalage, and as governed almost without exception by native authorities, preserving nearly in every instance the laws and customs which they had

before their submission to Portuguese dominion. If we should desire to compel them to adopt material reforms in their social condition, they might readily break out into rebellion, or the authorities of the Government might be unprovided with the means necessary for carrying into effect the provisions of the law, when it was in conflict with the interest of influential persons, and in opposition to their habits and modes of thought.

And what would it profit to make an end of slavery in the spots inhabited by Europeans, if it must necessarily continue to subsist throughout the rest of the district? In such countries it is necessary at first to labour, and that with ardour, to prepare the way for the emancipation of the slaves. It is beyond a doubt that religious missions, by well-qualified ecclesiastics, are among the most important steps to be taken, and a means which the Government is most desirous of employing.

There may, withal, in these very countries be speedily adopted many important measures tending to diminish to a great extent the evils of slavery. Not only should every practicable means be taken to check tyranny or ill-treatment on the part of slaveowners, and to provide that the slaves be not deprived of the advantages of a moral and religious education; but it might also be possible to establish conditions under which the slave might more readily obtain his freedom, either at a fixed price or by any other means.

The Government, sincerely desiring the abolition of slavery, expects from the wisdom of the Chambers, that the law to be enacted may be as distinguished for the high principles of morality and policy on which it rests, as for foresight in providing such restrictions that the abolition of slavery may not be attended with evils calculated to render it unacceptable.

No. 324.—*Viscount Palmerston to the Hon. H. G. Howard.*

SIR,

Foreign Office, July 31, 1850.

I HAVE received your despatch of the 7th ultimo, inclosing a number of papers communicated to you by Count Tojal, which the Portuguese Government look upon as disproving an assertion made by Sir Hamilton Seymour in a note which he addressed to the Viscount de Castro, on the 3rd of June, 1849, under my instructions, and which was to the effect that the export of slaves had then, for some time, been on the increase from certain parts of the Portuguese territory on the west coast of Africa.

I have to instruct you to say to the Portuguese Minister for Foreign Affairs, that these papers have been laid before Her Majesty's Government, and that Her Majesty's Government have been gratified by the proofs which they afford that the Portuguese Government has called the attention of its officers, civil, military,

and naval, on the west coast of Africa, to these important matters ; but you will add that you have been instructed to observe, that it ought not, at this time of day, to be a matter of inquiry and discussion, whether the Slave Trade from the African possessions of Portugal has decreased or has remained stationary in amount, because, according to the Treaty engagements of the Portuguese Crown, that Slave Trade ought long since to have entirely ceased.

Her Majesty's Government, therefore, feel themselves entitled to expect that the Portuguese Government will not content itself with issuing orders, however well conceived and framed such orders may be, but will follow up these orders by watchful supervision, and will take effectual measures to insure full and complete obedience to those orders.

You will further draw the attention of the Portuguese Government to the well-known fact, that almost all the persons who are actively engaged in Brazil in carrying on Slave Trade are Portuguese, and subjects of Her Most Faithful Majesty.

These persons are violating, by their crimes, the laws and Treaty engagements of Portugal, as well as the laws and Treaty engagements of Brazil, and it would surely be within the power of the Government of Portugal to take some steps for making these subjects of the Portuguese Crown answerable for the crimes which they are making it their habitual practice to commit. I am, &c.

The Hon. H. G. Howard.

PALMERSTON.

No. 325.—Viscount Palmerston to the Hon. H. G. Howard.

SIR,

Foreign Office, July 31, 1850.

By my despatch of this day's date, you are instructed to express to the Portuguese Government the satisfaction which Her Majesty's Government have derived from the proofs afforded by the papers which Count Tojal sent to you on the 25th of May last, that the Portuguese Government has called the attention of its officers on the west coast of Africa to the important subject of the continued exportation of slaves from Her Most Faithful Majesty's possessions upon that coast.

I have now to state to you, however, that Her Majesty's Government have recently learned, with much regret, that the Slave Trade has of late been much on the increase from the Portuguese possessions on the eastern coast of Africa, more especially from the River Quillimane; and they are informed upon credible authority, that the Portuguese Governor of that place was part owner of the cargo of a Brazilian vessel fully equipped for Slave Trading, which was lately captured off the town of Quillimane by one of the British cruizers.

It is stated that, commencing from the southward, the following are the names of the principal places from which the export of slaves

now takes place, viz., Shemangoma, Luabo, Mariangona, Quizung o the River Masimba or Macaco, Pomba Bay, Ibo, and Point Pangane, all of which are within the Portuguese territory.

I have to instruct you to express to the Portuguese Minister for Foreign Affairs the hope and expectation of Her Majesty's Government, that it is only necessary to make these circumstances known to the Government of Her Most Faithful Majesty, to insure the issue of strict and effectual orders to the Portuguese authorities on the east of Africa, for the entire prevention of such violations of the Treaty engagements of Portugal.

I am, &c.

The Hon. H. G. Howard.

PALMERSTON.

No. 326.—Viscount Palmerston to Viscount Moncorvo.

SIR,

Foreign Office, July 31, 1850.

I HAVE the honour to state to you that Her Majesty's Government have recently learnt, with much regret, that the Slave Trade has of late been much on the increase from Her Most Faithful Majesty's possessions on the eastern coast of Africa, more especially from the River Quillimane, and they are informed upon credible authority, that the Portuguese Governor of that place was part owner of the cargo of a Brazilian vessel, fully equipped for Slave Trade, which was lately captured off the town of Quillimane by one of the British cruizers.

It is stated that, commencing from the southward, the following are the names of the principal places from which the export of slaves now takes place; viz., Shemangoma, Luabo, Mariangona, Quizungo, the River Masimba or Macaco, Pomba Bay, Ibo, and Point Pangane, all of which are within the Portuguese territory.

I have desired Her Majesty's Chargé d'Affaires at Lisbon to express to Count Tojal the hope and expectation of Her Majesty's Government that it is only necessary to make these circumstances known to the Government of Her Most Faithful Majesty, to insure the issue of strict and effectual orders to the Portuguese authorities on the east coast of Africa for the entire prevention of such violations of the Treaty engagements of Portugal, and I have the honour to request that you will have the goodness also to bring this important matter under the serious notice of your Government.

I am, &c.

Viscount Moncorvo.

PALMERSTON.

No. 327.—Viscount Palmerston to the Hon. H. G. Howard.

SIR,

Foreign Office, July 31, 1850.

I HAVE received your despatch of the 8th instant, inclosing a copy of a note which you had received from Count Tojal, in answer to one which you had addressed to him in compliance with m

instructions, inquiring as to the progress of the measures taken for abolition of slavery in the Portuguese dominions.

With reference to the report of the Portuguese Minister of Marine on the subject, inclosed in Count Tojal's note, stating that it would be very difficult to emancipate immediately the slaves throughout all the dominions of Portugal, I have to instruct you to point out to Count Tojal, that it would seem not to be difficult to declare it illegal for any European subject of the Queen of Portugal resident in any of the Portuguese colonies, or elsewhere, to own or to employ slaves, leaving for subsequent legislation the application of a similar enactment to the African or Asiatic subjects of the Queen.

You should also suggest to Count Tojal that it would be very useful, and would tend much to the well-being of the natives, that a registration should be made of all persons held in slavery in the Portuguese dominions; the register to contain a statement of the names and ages, employment, and other particulars, of the slaves; and the names and places of abode, and condition in life of the owners.

I send you, for communication to Count Tojal, the forms of register adopted in the British West Indies before the emancipation of the slaves in the British dominions.

I am, &c.

The Hon. H. G. Howard.

PALMERSTON.

No. 331.—Viscount Palmerston to Viscount Moncorvo.

M. LE VICOMTE,

Foreign Office, August 10, 1850.

ON the 12th of this month, the period of 3 years will expire, for which Her Most Faithful Majesty consented to grant permission for Her Britannic Majesty's ships employed in suppressing the Slave Trade to enter the bays, ports, creeks, rivers, and other places within the dominions of the Crown of Portugal on the east coast of Africa, where no Portuguese authorities are established, in order that those ships may prevent the Slave Trade from being carried on in such places.

I have therefore the honour to propose a renewal of the arrangement recorded in that Protocol for a further period of 5 years; and I beg leave to submit for your approval the accompanying draft of a Protocol for that purpose, and which it may be convenient should bear date the 12th of August.

As the arrangement has been found advantageous for the suppression of the Slave Trade, and as Her Majesty's Government have never heard that it has led to any complaint on the part of the Portuguese Government, I trust that you will have no difficulty in signing the further Protocol which I have now the honour to propose.

I am, &c.

Viscount Moncorvo.

PALMERSTON.

(*Inclosure.*)—*Protocol of a Conference held at the Foreign Office, August 12, 1850, between the Plenipotentiaries of Great Britain and of Portugal.*

WHEREAS by the Protocol of a Conference between the Plenipotentiaries of Great Britain and of Portugal, held at the Foreign Office on the 12th of August, 1847,* the Government of Her Most Faithful Majesty consented to grant, for the period of 3 years from that date, permission for Her Britannic Majesty's ships employed in suppressing the Slave Trade to enter the bays, ports, creeks, rivers, and other places within the dominions of the Crown of Portugal on the east coast of Africa, where no Portuguese authorities are established, in order that those ships may prevent the Slave Trade from being carried on in such places :

And whereas the period for which such permission was granted as aforesaid is now about to expire :

The Plenipotentiary of Great Britain requested that such permission may be renewed ; and the Plenipotentiary of Portugal declared that the Government of Her Most Faithful Majesty, with the desire to fulfil and carry out to the utmost of its power the obligations contracted by the Treaty signed at Lisbon on the 3rd of July, 1842,† between Great Britain and Portugal, for the suppression of the Slave Trade, consents to grant the permission requested on the part of the British Government, for a fresh period of 5 years, commencing from this date, under the conditions laid down in the Protocol of the 12th of August, 1847, above referred to.

No. 332.—The Hon. H. G. Howard to Visct. Palmerston.—(Rec. Aug. 17.)
MY LORD, *Lisbon, August 8, 1850.*

I HAVE the honour to transmit to your Lordship a copy and translation of a note which I have received from Count Tojal, in reply to the communication which, in compliance with your instructions, I addressed to his Excellency on the 24th ultimo, respecting the abolition of the Mixed Commissions in the Cape Verd Islands and at Jamaica.

Your Lordship will perceive from this note, that the Government of Her Most Faithful Majesty are unwilling to accede to your Lordship's proposal without previously consulting in the matter the Administrative Section of the Council of State, who have consequently been invited to make a report thereupon.

I have, &c.

Viscount Palmerston, G.C.B.

H. G. HOWARD.

(*Inclosure.*)—*Count Tojal to the Hon. H. G. Howard.*

SIR,

(Translation.)

Lisbon, July 29, 1850.

I HAD the honour to receive the note which you were pleased to

* Vol. XXXVI. Page 589.

† Vol. XXX. Page 527.

address to me on the 24th instant, in which, by instructions of your Government, you call my attention to the project of Protocol presented by you on the 2nd August, 1849, for the abolition of the Mixed Commissions at Cape Verd and at Jamaica; and in which it is proposed that the slaves found on board of vessels captured by Portuguese or British cruisers to the north of the Equinoctial Line should be landed at the British colonies of the West Indies, or at Sierra Leone; and that the slaves found on board of vessels captured by Portuguese or British cruisers to the south of the Equinoctial Line, should be conveyed to Loanda or to the Cape of Good Hope.

Her Majesty's Government considering that they should not take upon themselves the responsibility of the settlement of this affair, without having first consulted the Administrative Section of the Council of State, I have to inform you that on this day I will submit to that Tribunal all the papers concerning it, to the end that the Government may definitively resolve, with reference to the opinion given by that Tribunal.

I avail, &c.

The Hon. H. G. Howard.

COUNT TOJAL.

No. 335.—The Hon. H. G. Howard to Visc^t. Palmerston.—(Rec. Sept. 4.)

MY LORD,

Cintra, August 28, 1850.

IN your Lordship's despatch of the 31st ultimo, it is stated that the Governor of Quillimane was strongly suspected of being part-owner of a vessel engaged in Slave Trade. In confirmation of this charge, I may mention that Colonel Rezende has lately returned without leave to this country, having acquired during the short time he has been Governor of Quillimane a fortune which, as I am credibly informed, amounts to 92 contos of reis.

Senhor Rezende, who succeeded Colonel Terceira in the Governorship of Quillimane, was appointed to that post by the Duke of Saldanha not quite 3 years ago; he has since his return purchased a large property on the south side of the Tagus, and it is of course well known in Lisbon that the fortune he has made is derived from successful Slave Trade speculations.

Unfortunately these criminal practices are not viewed in this country in the same light in which they are regarded in England; I have been credibly informed that almost every Portuguese Governor on the east and west coast of Africa is more or less interested in the continuance of Slave Trade. Few, if any of them, can resist the temptations to which they are exposed. Inadequately paid, they are enabled, almost without risk, to acquire a considerable fortune in the course of a few years.

Fast-sailing vessels destined for the Slave Trade continue to be built at Oporto, Villa de Conde, and at Porto Brandão. Before proceeding, however, to the coast of Africa, they are generally sent to Bahia or Rio de Janeiro, where the necessary equipments are completed.

I am informed by Mr. Vice-Consul Phillips, that at Porto Brandão on the south side of the Tagus, a sharp-built schooner, belonging to M. Freitas, of Angola, a noted slave-dealer, was launched on the 23rd instant, and that she is to proceed direct to the coast of Africa with her owner.

I have, &c.

Viscount Palmerston, G.C.B.

H. G. HOWARD.

No. 337.—The Hon. H. G. Howard to Visct. Palmerston.—(Rec. Sept. 16.)

MY LORD,

Lisbon, September 7, 1850.

WITH reference to my despatch of the 27th of July last, transmitting to your Lordship a copy of the note which, in compliance with your instructions, I addressed, on the 26th of July last to Count Tojal, on the subject of the proposition made by the Portuguese Government, respecting the abolition of the Mixed Commissions established at Jamaica and in the Cape Verd Islands, I have the honour to inclose to your Lordship, herewith, a copy and translation of the note which I have received from his Excellency in answer to my communication.

By this note your Lordship will perceive that the proposal of Her Majesty's Government, respecting the destination of captured slaves, was submitted to the Council of State, and that that body, on the plea that the principle of reciprocity is not recognized in the Protocol which your Lordship directed me to present to the Portuguese Government, suggests that the Cape Verd Islands and Sierra Leone should be named as the places for landing slaves captured to the north of the Equinoctial Line, and Loanda and the Cape of Good Hope for slaves captured to the south of the Equinoctial Line.

Your Lordship will remark that his Excellency informs me, in the concluding paragraph of his note, that if the proposed alteration is accepted by Her Majesty's Government, he is ready to come to an understanding with me as to the time when the duties of the Commissioners of the Mixed Commission at Bôa Vista and at Kingston shall cease. It will doubtless, however, be in your Lordship's recollection, that it is stated in the despatch of Her Majesty's Acting Commissioner at Jamaica, that M. Altavilla, the Portuguese Commissioner in that place, had been already recalled by his Government.

I have, &c.

Viscount Palmerston, G.C.B.

H. G. HOWARD.

(Inclosure.)—Count Tojal to the Hon. H. G. Howard.

SIR,

(Translation.)

Lisbon, September 3, 1850.

IN answer to the note you were pleased to address to me on the 24th of July, respecting the proposed abolition of the Mixed Commissions established at the Cape Verd Islands and at Jamaica,

spoken of in your previous note of the 2nd August of last year, I have to state to you, that as it is declared in the minute of Protocol which you transmitted to me with the last-mentioned note, that all slaves found on board of vessels captured by Portuguese or British cruizers to the north of the Equinoctial Line, should in future be landed either at one of the British possessions in the West Indies, or at Sierra Leone, and that the slaves found on board of vessels captured by Portuguese or British cruizers to the south of the Equinoctial Line, should be conveyed to Loanda or to Cape Town, that they may be disposed of according to the stipulations of the Treaty of 3rd July, 1842, Her Majesty's Government have thought it convenient, before definitely settling this question, to hear the opinion of the Administrative Section of the Council of State upon it, in view of all the papers relating thereto.

This section, therefore, considering that one of the principal objects kept in view in the Treaty of 1842, was to guarantee to the High Contracting Powers the most complete reciprocity in the rights reserved to them, as well as in the duties, to the execution of which they mutually pledged themselves; and considering that Her Majesty's Government had already upheld the strict observance of that precept, in requiring that the Portuguese cruizers should enjoy the same rights as those demanded for British cruizers, with regard to the free option of the place of landing slaves, and in conformity with the principles thus evinced by Her Majesty's Government, is of opinion, that the territories of Cape Verd and Sierra Leone might be indicated in the above-mentioned Protocol, as places for landing slaves captured to the north of the Equinoctial Line, and to the south of the said line, those of Loanda and the Cape of Good Hope; in this manner equalizing the facilities for landing them, from the geographical position of those colonies, with the reciprocity of the rights of both Governments.

With regard to the fears entertained by the British Government, for the liberation of slaves landed in Portuguese colonies, the said Section considers that in consequence of the positive provisions of Article XIII of the Treaty of 3rd July, 1842, and of the Annex C, which forms a part of the same, by means of which the mode of liberating slaves captured and delivered over to the local authorities, is established with all due securities, the said Government have no just motive for entertaining such fears, the more so as it has not been proved that those authorities have failed in strictly complying with the above-mentioned provisions of the Treaty, which are explicit and binding for both Governments.

Her Majesty's Government being, therefore, unable to dissent from the above opinion of the Administrative Section of the Council of State, I have the honour to state the same to you, in the assurance

that should the proposed alteration be agreeable to you, as it is to be expected, I shall have no objection to come to an understanding with you, as to the time when the members of the Mixed Commissions still in existence in the Island of Bõa Vista and in Kingston, shall cease their functions.

I avail, &c.

The Hon. H. G. Howard.

COUNT TOJAL.

No. 338.—The Chevalier de Ribeiro to Viscount Palmerston.

MY LORD, *Portuguese Legation, September 14, 1850.*

As Chargé d'Affaires of Her Most Faithful Majesty, I have the honour to address myself to your Excellency, and to call your Lordship's kind attention to some occurrences that have taken place between the Portuguese and the British Commissioners composing the Mixed Commission at Loanda.

I will not trouble your Excellency by inclosing copies of all the correspondence relative to those occurrences, being convinced that the British Commissioner has not failed to lay the same before your Excellency. However, in obedience to the orders of my Government, I beg leave to say, that those occurrences proceed from the very erroneous theories that the same British Commissioner pretends to establish, that the resignation tendered by any employé, accepted or not, involves his complete dismissal. At least, such is the consequence of the obstinate refusal to admit and consider as his legally authorised colleague, the Portuguese Commissioner Senhor Lemos e Falcão, because he was not provided with a new appointment from his Government, after having sent in his resignation, requesting that it might be accepted, but which his Government did not accept.

To give some apparent reason for this proceeding, the British Commissioner notices that the Governor of Angola, in an official letter to the Portuguese Commissioner, calls his resignation a consummated fact; which can never convey the notion, as he alleges, that to have its full effect, it was unnecessary that the Government would accede to it.

As the Portuguese Arbiter could no longer act as Commissioner, because he was bound to acknowledge that Senhor Lemos e Falcão was then the legal Portuguese Commissioner, the consequence is, that the functions of the said Mixed Commission are interrupted, notwithstanding the protest made and presented by the Portuguese Commissioner.

This proceeding of the British Commissioner is so extraordinary and his arguments so futile, that they suggest the idea, certainly unfounded, that he adopted them only because he felt himself annoyed by what has passed in the case of the brig *Galianna*, when Her Britannic Majesty's Government commanded him to act as British Commissioner in the adjudication of the due indemnity,

if not with the reserved intention of procrastinating the same adjudication still pending.

After this explanation of those occurrences, I do not doubt your Excellency will consider it but very just to comply with my request, to send the proper orders to the British Commissioner to receive and consider as Portuguese Commissioner at Loanda, Senhor Lemos e Falcão, his first appointment being legal and in force by the simple non-acceptance of his resignation by Her Most Faithful Majesty's Government.

I have, &c.

Viscount Palmerston, G.C.B.

CHEVALIER DE RIBEIRO.

No.339.—*The Hon. H. G. Howard to Visc^t. Palmerston.*—(Rec. Sept. 24.)

MY LORD,

Lisbon, September 12, 1850.

WITH reference to my despatches of the 14th ultimo, transmitting to your Lordship copies of the notes which, in compliance with the instructions contained in your Lordship's despatches of the 31st of July last, I addressed to Count Tojal, upon the subject of Slave Trade in the Portuguese possessions on the east and west coast of Africa, I have the honour to inclose herewith a copy and translation of a note which I have this day received from the Minister for Foreign Affairs, in answer to the above-mentioned communications.

Your Lordship will perceive that Count Tojal suggests, with a view to put an end to the Slave Trade in the province of Angola, that it would be advisable to fortify Ambriz.

His Excellency adds, your Lordship will likewise remark, with reference to an observation of your Lordship's, that almost all the persons who are actively engaged in Brazil in carrying on the Slave Trade, are Portuguese subjects, that the Government of Her Most Faithful Majesty cannot proceed against these persons without first obtaining evident proof of their guilt, as well as of their being domiciled in the territory of the Portuguese Crown.

I have, &c.

Viscount Palmerston, G.C.B.

H. G. HOWARD.

(Inclosure).—*Count Tojal to the Hon. H. G. Howard.*

SIR,

(Translation.)

Lisbon, September 10, 1850.

HAVING, as I informed you on the 19th ultimo, brought to the knowledge of the Minister of the Marine the 2 notes which you were pleased to address to me on the 13th and 14th of said month, respecting the increase which was stated to have taken place lately in the traffic in slaves in the Portuguese possessions on the east and west coast of Africa, the said Minister informed me, on the 3rd instant, that his Department was about to proceed to the necessary investigations on this subject, in order that due measures might be taken; and I am bound to add that Her Majesty's Government

will not fail to adopt all possible means for putting a stop to that inhuman trade; and they consider that the most decisive and efficacious measure for effecting this, with respect to Angola, will be to fortify Ambriz.

I must, however, observe to you, with reference to the latter part of the first of your above-mentioned notes, that Her Majesty's Government can in no way proceed against Portuguese subjects who may have involved themselves in the traffic in slaves, without having first obtained evident proof of their participation; and it is above all indispensable that they should be domiciled in Portuguese territory.

I avail, &c.

The Hon. H. G. Howard.

COUNT TOJAL.

No. 340.—Viscount Palmerston to the Chevalier de Ribeiro.

SIR,

Foreign Office, September 26, 1850.

I DULY received the note which Viscount Moncorvo did me the honour to address to me on the 20th of April last, in which he stated that the Government of Her Most Faithful Majesty are desirous to improve the African possessions of Portugal by introducing habits of industry among the negro population; and that, in furtherance of such object, they conceive it would be a useful expedient that Africans who might be declared by the Mixed Court at Loanda to be free and in the enjoyment of their liberty, should be sent as free settlers and agriculturists to the Islands of St. Thomas and Prince's, where the want of labourers is very great, and where, consequently, those Africans would find profitable employment.

Fully appreciating the remarks with which Viscount Moncorvo accompanied this proposal, I beg leave here to repeat what, on a former occasion, I instructed Her Majesty's Chargé d'Affaires at Lisbon to state to the Viscount de Castro, then Minister for Foreign Affairs, that Her Majesty's Government would learn with pleasure that negroes, captured by Portuguese cruizers and liberated by the Mixed Court at Loanda, had been placed, as free men, in possession of land in the islands above-mentioned; Her Majesty's Government being convinced that such an arrangement, if effectually guaranteed, would tend much to the prosperity of those islands.

The objection which Her Majesty's Government feel to this plan, and which Viscount Moncorvo anticipated, is undoubtedly the risk which those emancipated Africans would incur of being again subjected to slavery. But he assured me that the Government of Her Most Faithful Majesty would willingly agree to any reasonable measures of precaution which may be suggested to prevent such a result.

Her Majesty's Government have anxiously considered this proposal, but I regret to say that they find themselves unable to suggest,

under existing circumstances, any measures which would seem to them sufficient to guard against the dangers referred to. In their opinion, the only real safeguard against such danger would be found in carrying into execution the plan which Her Most Faithful Majesty's Government have in view for abolishing the condition of slavery in all the possessions of the Portuguese Crown, and Her Majesty's Government cannot but hope that steps will be soon taken for effecting that most desirable object.

In the meantime, however, if you will have the goodness to state what measures the Government of Portugal would themselves propose to adopt in order to secure the permanent freedom of such emancipated Africans as might be sent to St. Thomas' and Prince's Islands, Her Majesty's Government would give to such proposed measures their earnest and best consideration; and they would be very glad to find them such as would remove the scruples which Her Majesty's Government at present feel upon this subject.

I am, &c.

The Chevalier de Ribeiro.

PALMERSTON.

No. 341.—Viscount Palmerston to the Hon. H. G. Howard.

SIR,

Foreign Office, September 30, 1850.

I HAVE received your despatch of the 7th instant, inclosing a copy and translation of a note dated the 3rd instant, from Count Tojal, on the subject of the proposed abolition of the Mixed Commissions established at Jamaica and the Cape Verd Islands, and in which Count Tojal proposes that slaves from slavers captured under the Treaty of 1842, anywhere to the north of the line, should be landed either at the Cape Verd Islands or at Sierra Leone, instead of being landed, as proposed by Her Majesty's Government, either in the British West India possessions, or at Sierra Leone.

In reply to this counter-proposition of the Portuguese Government, I have to instruct you to say that it would be very inconvenient to send to the Cape Verd Islands any negroes captured in slave-ships taken in the West Indies, and it is on that account that Her Majesty's Government wish such negroes to be landed in one of the British West Indian Islands; and with regard to negroes captured in slave-ships taken near the northern coast of Africa, it is obvious that the humane purposes which both Governments have in view would be far better accomplished by landing such negroes at Sierra Leone, where the condition of slavery does not exist, than in sending them to the Cape Verd Islands, in which, as being part of the dominions of Portugal, the condition of slavery still unfortunately continues to be maintained.

The question is not one of reciprocity, of honour, or dignity, or privilege, or right, as between England and Portugal, but simply

what is the best arrangement for the negroes who may be captured, and in what manner their freedom can best be secured; and, with a view to the better accomplishment of that end, Her Majesty's Government would much wish that it should be settled that all negroes captured under the stipulations of the Treaty between Great Britain and Portugal for the suppression of Slave Trade, should be sent to a British possession; and I have accordingly to instruct you to make a proposition to this effect to the Portuguese Government.

I am, &c.

The Hon. H. G. Howard.

PALMERSTON.

No. 343.—Viscount Palmerston to the Hon. H. G. Howard.

SIR,

Foreign Office, October 11, 1850.

I HAVE received your despatch of the 12th September, inclosing a copy of a note addressed to you on the 10th September by Count Tojal, in reply to the representations which you made to him on the 13th and 14th August last, on the subject of the continued exportation of slaves from the Portuguese possessions, both on the west and east coast of Africa.

I have now to instruct you to state to Count Tojal that Her Majesty's Government, regret to be obliged to say that this reply is by no means of a satisfactory nature.

The facts which Her Majesty's Government wished to bring under the consideration of the Portuguese Government are, that from one end to the other of the Portuguese possessions in Africa, both on the eastern and western coast, Slave Trade is carried on to a great extent; and that a great part of the negroes who are every year stolen in Africa, and shipped off to be made slaves in Brazil, are collected in and embarked from places within the Portuguese dominions; and that it is well known, moreover, that this infamous traffic is carried on almost exclusively by Portuguese, the exporters in Africa and the importers in Brazil being almost all of them subjects of the Queen of Portugal.

This scandalous infraction of the Treaty between Great Britain and Portugal, and this constant violation of the laws of Portugal, could not possibly happen if the colonial officers of the Portuguese Government did their duty. It is, indeed, well known that it is by the connivance of these officers that these crimes are committed; and it is also equally well known that these colonial officers often return home to Portugal with fortunes which they have amassed during their residence in Africa, and which are wholly beyond proportion with any means of accumulation which their salaries could have afforded them. In reply to the statements made by Her Majesty's Government upon such important matters, and founded upon such flagrant facts, the Portuguese Government, in addition

to their often-repeated general and vague assurances, simply answer that the Minister of Marine will investigate matters which surely are already sufficiently notorious; that Ambriz, a place not acknowledged by Great Britain as being within the Portuguese territory, ought to be fortified, and that persons cannot be punished unless they are proved to be guilty. With regard to investigations, none are required to establish the publicly known fact that from 40,000 to 60,000 negroes have been annually carried from Africa to Brazil, and that a great portion of these victims of avarice, corruption, and crime, have been exported from the Portuguese dominions in Africa; and it is impossible to suppose that any Government should be unable to put a stop to such wholesale iniquity within its own territory, if it set to work in earnest, and took proper means to accomplish its object.

As to the notion that the Slave Trade carried on from places within the Portuguese territory is to be put a stop to by fortifying a place which is not within that territory, that proposal can scarcely be regarded as a serious one; but in reply, Her Majesty's Government would observe that all they ask of the Government of Portugal is, that it should take care that the stipulations of Treaties and the enactments of laws should be observed within the whole range of the African dominions of Portugal, and with respect to places beyond and out of those dominions, Her Majesty's Government will themselves take such steps as may seem to them to be proper.

With regard to the observation that, in order to institute legal proceedings against offenders, it is necessary that evidence should be obtained, and that Portuguese subjects who are not domiciled within the Portuguese territory cannot be prosecuted before Portuguese courts of justice, Her Majesty's Government would beg to remark that it cannot be supposed that many thousand negroes can be annually exported from the colonial possessions of Portugal without its being possible to procure evidence to convict the persons guilty of such crimes. Human beings cannot be smuggled out of a country like bales of tobacco or kegs of brandy. These negroes must be collected in large numbers in some place near to the intended point of embarkation, and must often be kept there for some considerable time before they are actually put on shipboard. They cannot be thus collected in secret. Extensive arrangements must be made for housing, and feeding, and guarding them during that interval of time; while the ship that is to take them must be fitted up in a particular manner, wholly different from the equipment and arrangements of a ship destined for lawful commerce.

It is quite impossible that great numbers of negroes should thus be brought down to the coast, and be often kept there for many

weeks in expectation of the arrival of the ship, and that a ship so equipped should thus arrive, and often wait for several weeks, till the negroes are collected; it is quite impossible that such things should happen under a well-organized Government, and that they should not be known to the persons employed in the various departments of the public service. And, therefore, the existence of these facts, which are beyond dispute, can be explained only by one of two suppositions: either that the Portuguese Government is careless and apathetic, and remains an indifferent, and therefore a conniving spectator of those crimes; or else that the officers whom it employs in the various departments of its service in Africa are not trustworthy, and that they disobey the orders of the Government, either being themselves engaged in these criminal proceedings or being bribed by the pirates by whom those proceedings are carried on. The first supposition is one which Her Majesty's Government cannot entertain, because it would be entirely at variance with all the declarations made, and all the assurances given on these matters by the Portuguese Government; and therefore Her Majesty's Government have no alternative but to adopt the latter supposition; at the same time stating that they, with pleasure, acknowledge that some of the Portuguese officers employed in high situations in Africa have, as Her Majesty's Government have on former occasions acknowledged, formed honourable exceptions to that systematic connivance at Slave Trade, which can alone account for the continued prevalence of that crime. Her Majesty's Government must then most earnestly and formally call upon the Portuguese Government to take those active and effectual measures on this matter which the British Government is entitled to demand from Portugal in fulfilment of the obligations of the Treaty, and which are also required in execution of those laws of Portugal which have been passed in accordance with and in pursuance of those Treaty obligations of the Portuguese Crown.

You will transmit a copy of this despatch to Count Tojal.

I am, &c.

The Hon. H. G. Howard.

PALMERSTON.

No. 345.—Viscount Palmerston to the Hon. H. G. Howard.

SIR,

Foreign Office, October 30, 1850.

HER Majesty's Government have received, from Her Majesty's Commissioner at Loanda, a copy of the official Gazette of Loanda of the 30th of March last, containing a Decree issued by Her Most Faithful Majesty on the 17th of November, 1849, by which Senhor Francisco Tavares de Almeida, who was appointed Governor of the Province of Benguela in 1848, was promoted to the rank of Lieut.-

Colonel, and was re-appointed Governor of Benguela for a further term of 3 years.

With reference to this appointment I have to instruct you to state to the Portuguese Government, that Her Majesty's Government cannot refrain from expressing their regret that a person should have been appointed to so important a command, whose conduct, with relation to slave-trading transactions, has been liable to much suspicion, and to serious imputations, for it is evidently of great importance that commands in the African possessions of Portugal should be conferred on persons, with regard to whom there can be no ground for supposing that they could be induced to connive at the Slave Trade.

I am, &c.

The Hon. H. G. Howard.

PALMERSTON.

No. 348.—Sir Hamilton Seymour to Viscount Palmerston.

(Received November 15.)

MY LORD,

Lisbon, November 8, 1850.

I MUCH regret being unable to transmit to your Lordship a translation of the reply which Count Tojal has returned to my note of the 24th ultimo, inclosing a copy of your Lordship's despatch to Mr. Howard, dated the 11th October last.

This reply is a paper of some importance, as, with respect to the right of possession of Ambriz, an attempt is made by the Portuguese Ministers to place Her Majesty's Government in contradiction with its own declarations or admissions.

It is to be observed that Count Tojal's note, although dated the 6th instant, was delivered to me only this evening between 7 and 8 o'clock.

I am therefore unable at this moment either to examine the various despatches and notes which may bear upon the case, or even to cause a translation to be prepared of a document, of which, however, I subjoin a copy.

I have, &c.

Viscount Palmerston, G.C.B.

G. H. SEYMOUR.

(Inclosure.)—Count Tojal to Sir Hamilton Seymour.

(Translation.)

Lisbon, November 6, 1850.

THE Undersigned, Minister and Secretary of State in the Foreign Department, had the honour to receive the note addressed to him by Sir G. Hamilton Seymour, Envoy Extraordinary and Minister Plenipotentiary of Her Britannic Majesty, on the 24th day of October last, accompanied by copy of a despatch of the 11th of the same month, sent by Lord Palmerston to Mr. Henry George Howard, relative to the contents of the note of the Undersigned to the aforesaid Mr. Henry George Howard on the 18th day of September preceding.

In that despatch Lord Palmerston affirms, that from one extremity of the Portuguese dominions on the eastern and western coasts of Africa to the other the unlawful trade in slaves is carried on exclusively by Portuguese subjects. He observes that such a scandalous infringement of the Treaty between Portugal and Great Britain, and this continual violation of the laws of Portugal, would certainly not take place if the functionaries sent to the provinces beyond the seas fulfilled their duties; and that the Government of Portugal, in reply to the reclamations made by the Government of Her Britannic Majesty upon this important matter, which are founded on facts so flagrant, is satisfied with saying, in reference to its repeated, general, and vague assurances, that it will direct investigations to be made upon this notorious subject through the Department of the Minister of Marine.

Lord Palmerston finally brings forward various facts in corroboration of the blame which he throws on the Portuguese Government, and concludes by calling for those prompt and energetic measures which the British Government has a right to demand, in fulfilment of the Treaty, and of the laws issued in Portugal in conformity with the obligations contracted by the Treaty.

The Undersigned, as it was his duty, having brought to the notice of Her Majesty the Queen the contents of the above-mentioned note, received the commands of his August Mistress to intimate to his Lordship that Her Majesty observed with the utmost surprise the remarkable discrepancy between the terms in which the despatch of Lord Palmerston is conceived, and those of the note of the 20th September, 1845, addressed by Lord Aberdeen to the Baron da Torre de Moncorvo, in which that First Minister admits that he fully acknowledges the effectual and honourable efforts made by the Portuguese Government in these last years for the suppression of the Slave Trade on the coasts of the Portuguese possessions; a frank and spontaneous declaration, in which due justice is done to Her Majesty's Government, which, not having since that period relaxed in the strong desire to contribute to the complete abolition of that illicit traffic (as it is to its own interest to do), is conscious of having omitted on its part none of the measures which, humanly speaking, were in its power, to obtain the object in view, however much the result of its efforts may have been less satisfactory than could have been desired.

To pass to another point of Lord Palmerston's despatch, to which Her Majesty's Government attaches the greatest importance, the Undersigned begs leave to observe to Sir G. H. Seymour, that when, in acknowledging on the 24th ultimo the receipt of the above-mentioned note, he said that he would seek information from the Department of the Marine to be enabled to reply to his Lordship

with as little delay as possible, he alluded only to the part of his despatch relative to the increase which Lord Palmerston avers has taken place in the Slave Trade, and to the acts imputed to some of the Portuguese authorities of the eastern and western coast of Africa; with the reservation at the same time of not allowing to pass in silence the serious assertion contained in the same despatch, that Great Britain did not recognise Ambriz to be within the territories of Portugal; an assertion which is in manifest contradiction with the language used on this subject by Lord Palmerston himself, as the Undersigned proceeds to show.

In his note of the 30th November, 1846, to the Viscount de Moncorvo, his Lordship expresses himself in the manner following:

“According to the Treaty of 1817, Molembo, as you are aware, is the extreme point of the Portuguese claim to sovereignty not actually recognised by Great Britain, but to which Portugal declares that she retains her rights; and Ambriz is the extreme northern point recognised by Great Britain.”

In conformity with this declaration, Lord Palmerston gave directions to Sir G. H. Seymour to offer, in the name of Her Britannic Majesty's Government, to the Government of Her Majesty, as in fact he did by his note of the 25th July, 1848, the co-operation of the English squadron on the western coast of Africa in any measures which it might be thought proper to pursue, both with the object of destroying the depôts of slaves existing in Ambriz, and of preventing their re-establishment there. Is it then possible that Lord Palmerston, in the presence of such a fact, and of Article II of the Convention of the 28th July, 1817, which recognises that point as comprised within the limits of the possessions of the Portuguese Crown on the western coast of Africa, between the 8th and 18th degrees of south latitude (Ambriz being situated under the 8th degree), that he should doubt the incontestable right of Portugal to that territory?

The Government of Her Britannic Majesty omitted the formal recognition of the right of the Portuguese Crown to the territories of Molembo and Cabenda only on that coast; but with respect to Ambriz, it recognised the right explicitly and clearly, both by the above-quoted note of the 30th November, and by the Convention mentioned.

In presence, therefore, of this recognition on the part of the Government of Her Britannic Majesty, it is to be presumed that Lord Palmerston will not hesitate a moment in rectifying the assertion (which he could have made only by inadvertence) that the point of Ambriz was not recognised by England as belonging to Portugal.

The Undersigned, &c.

Sir Hamilton Seymour.

COUNT TOJAL.

No. 350.—*The Chevalier de Ribeiro to Viscount Palmerston.*

MY LORD, *Portuguese Legation, November 14, 1850.*

THE Viscount de Moncorvo having referred to Her Most Faithful Majesty's Government your Excellency's proposal, contained in the letter you addressed to him on the 10th August last, to renew the arrangement recorded in the Protocol of the 12th August, 1847,* granting permission for Her Britannic Majesty's ships employed in suppressing the Slave Trade, to enter the bays, ports, creeks, rivers, and other places within the dominions of the Crown of Portugal on the east coast of Africa, where no Portuguese authorities are established, in order that those ships may prevent the Slave Trade from being carried on in such places;

And Her Most Faithful Majesty's Government, desirous of affording every facility to carry out the obligations contracted by the Treaty of the 3rd July, 1842,† for the suppression of the Slave Trade, has authorised me to sign a new Protocol for the above-named purpose; but as I think it necessary to make two alterations in the draft you sent with your letter to Viscount Moncorvo, I beg leave to have the honour to submit to your Excellency's approval the accompanying draft.

I am sorry to say that for obvious reasons the intended Protocol cannot bear the date of 12th August, as your Excellency suggested.

I have, &c.

THE CHEVALIER DE RIBEIRO.

Viscount Palmerston, G.C.B.

Draft Protocol of a Conference held at the Foreign Office, November 19, 1850, between the Plenipotentiaries of Great Britain and of Portugal.

WHEREAS by the Protocol of a conference between the Plenipotentiaries of Great Britain and of Portugal, held at the Foreign Office on the 12th of August, 1847, the Government of Her Most Faithful Majesty consented to grant, for the period of 3 years from that date, permission for Her Britannic Majesty's ships employed in suppressing the Slave Trade, to enter the bays, ports, creeks, rivers, and other places within the dominions of the Crown of Portugal on the east coast of Africa, where no Portuguese authorities are established, and to prevent the Slave Trade from being carried on in such places:

And whereas the period for which such permission was granted as aforesaid has expired:

The Plenipotentiary of Great Britain requested that such permission may be renewed; and the Plenipotentiary of Portugal declared that the Government of Her Most Faithful Majesty, with

* Vol. XXXVI. Page 589.

† Vol. XXX. Page 527.

the desire to fulfil and carry out to the utmost of its power the obligations contracted by the Treaty signed at Lisbon on the 3rd of July, 1842, between Great Britain and Portugal, for the suppression of the Slave Trade, consents to grant the permission requested on the part of the British Government for a fresh period of 5 years, commencing from this date, under the conditions laid down in the Protocol of the 12th of August, 1847, above referred to.

And as this permission is for Her Britannic Majesty's ships employed in suppressing the Slave Trade, to enter the bays, ports, creeks, rivers, and other places within the dominions of the Crown of Portugal on the east coast of Africa, where no Portuguese authorities are yet established, and to prevent the Slave Trade from being carried on in such places, it is understood and agreed by Her Britannic Majesty's Government, that the said permission shall cease in all its effects, with respect to any of the said bays, ports, creeks, rivers, and other places, and to every one of them, as soon as, and in proportion as Portuguese authorities shall be established in either, any, or in every one of those bays, ports, creeks, rivers, and other places.

No. 352.—The Chevalier de Ribeiro to Viscount Palmerston.

MY LORD,

Portuguese Legation, November 23, 1850.

THE Viscount de Moncorvo, in his letter to your Excellency of 20th April last, requested that Her Britannic Majesty's Government should give orders to the British Commissioner of the Portuguese and British Mixed Commission at Loanda, to consent that the Africans declared by the said Commission to be free and in the enjoyment of their liberty, may be sent as free settlers and agriculturists to the Islands of St. Thomas and Princes, and to the new Portuguese colony, Mossamedes.

The Viscount de Moncorvo stated also, that as some risk might be apprehended on the part of Her Britannic Majesty's Government for the liberty of those Africans, if sent to the said places, Her Most Faithful Majesty's Government would willingly agree to any reasonable measures which might be suggested to prevent such result.

In answer to this request and proposal, your Excellency, in the letter you did me the honour to address to me on the 26th September last, has been pleased to say, that in the opinion of Her Britannic Majesty's Government, the only safeguard against such danger would be found in carrying into execution the plan which Her Most Faithful Majesty's Government have in view for abolishing the condition of slavery in all the possessions of the Portuguese Crown.

But your Excellency added, that in the meantime, if I would state what measures my Government would themselves purpose to adopt, in order to secure the permanent freedom of such emancipated Africans, they would be considered by Her Britannic Majesty's Government.

Having referred to my Government the contents of this letter of your Excellency, I am commanded to state:

That the wishes Her Most Faithful Majesty's Government entertain for the total abolition of slavery in all the Portuguese dominions, are contained in the report presented to the Cortes by the Minister of Marine on the 15th March last; wherein is declared, that it is possible to come directly to the total abolition of slavery in India and Macao, in the Islands of St. Thomas and Princes, and even in those of Cape Verd, not only in consequence of the number of slaves still remaining there being small, but on account of the facility of preventing the importation of new slaves. That the case is not the same in the other Portuguese possessions, as Angola, Moçambique, Timor, and Solor, where the number of slaves is very large, and where it is impossible to stop the importation of them, resulting from this, that the total abolition of slavery in those places must depend upon measures adopted with much care to prevent unpleasant consequences.

Your Excellency and Her Britannic Majesty's Government will perceive hereby, that in regard to those Islands of St. Thomas and Princes, and to Mossamedes, where, by the prohibition to import new slaves, the number of the old still remaining are reduced to few, there exists already that safeguard which should be considered the only real one, to remove the scruples that the Africans sent there could be reduced again to slavery. Consequently, there is no risk for the freedom of those Africans, in Her Britannic Majesty's Government's compliance with the request and proposal in question.

These wishes of my Government are borne out by the real facts, as in the said Islands of St. Thomas and Princes, they have religiously maintained the freedom of the emancipated Africans, who are, some permitted to employ themselves according to their vocations; to others, lands are given to cultivate; and many are provided with necessaries for their support until they can find employment.

Your Excellency will allow me to mention here, that in the year 1848, some 20 negroes found on board the launch *Fortuna*, being liberated by the Mixed Commission at Loanda, were, after some correspondence had passed between the Viscount de Castro, then Minister for Foreign Affairs, and Sir Hamilton Seymour, sent to those islands: and that neither on account of these 20 negroes, nor of many others liberated by the Tribunal de Presas, and sent also to those islands, has any complaint ever been presented to my Govern-

ment, or to that of Her Britannic Majesty, of a single one of these Africans having been reduced again to slavery.

I cannot conclude this communication without observing that the proceedings held towards those 20 Africans has met with the approbation of your Excellency and Her Britannic Majesty's Government, as has been declared to my Government by your Excellency's order in the note which Sir Hamilton Seymour addressed to the Foreign Minister at Lisbon on the 4th June, 1849, in which it is stated:—"I am ordered by his Lordship to inform your Excellency, that Her Majesty's Government would learn with great pleasure, that the 20 negroes captured in the launch *Fortuna*, and any other negroes similarly circumstanced, had been placed as free men in possession of land in the Islands of St. Thomas and Princes.

"Her Majesty's Government, as I may further state, are convinced that such an arrangement would tend much to the prosperity of those islands."

Then, if on a former occasion the sending of emancipated negroes to the said islands has met with your Excellency's approval, and the good faith with which my Government has maintained their obligations for the abolition of slavery, is so well proved, and has been acknowledged by Her Britannic Majesty's Government, Her Most Faithful Majesty's Government fully relies that your Excellency and Her Britannic Majesty's Government will gladly contribute to the prosperity and increase of the population of those Islands of St. Thomas and Princes, and of the new Portuguese colony, Mossamedes, by agreeing with the proposal in question, and by sending the requested orders to the British Commissioner at Loanda.

I have, &c.

THE CHEVALIER DE RIBEIRO.

Viscount Palmerston, G.C.B.

No. 353.—*Sir H. Seymour to Viscount Palmerston.*—(Rec. Nov. 26.)

MY LORD,

Lisbon, November 9, 1850.

THE despatch which I had the honour of addressing to your Lordship last night will have put you in possession of Count Tojal's note of the 6th instant, in which an attempt was made to show the inconsistency of the language held by Her Majesty's Government with regard to the sovereignty of Ambriz.

A reference to Treaties and to the correspondence relating to the Slave Trade, having satisfied me that the imputation has been made upon very slight grounds, I have thought it expedient, without waiting for such further orders as I may receive from your Lordship, to show the Portuguese Government that the apparent inconsistency is susceptible of the most satisfactory and obvious explanation, and

have therefore, without loss of time, addressed to Count Tojal the note of which I beg to transmit a copy.

I have, &c.

Viscount Palmerston, G.C.B.

G. H. SEYMOUR.

(Inclosure.)—*Sir Hamilton Seymour to Count Tojal.*

British Legation, November 9, 1850.

THE Undersigned, while he acknowledges the receipt of the answer which his Excellency Count Tojal has done him the honour of returning to his note of the 24th ultimo, inclosing a copy of Viscount Palmerston's despatch of the 11th ultimo, begs in the first instance to remark that his reply, although dated the 6th instant, was delivered to him only last night as he was making up his despatches for England.

The Undersigned was, therefore, only able to inclose a copy of the note to Viscount Palmerston, without accompanying the communication by those observations which a very cursory examination of Treaties and archives would have enabled him to make.

A suitable answer will, no doubt, be returned by Her Majesty's Government to his Excellency's note; but, in the meantime, the Undersigned begs to remind his Excellency that a reference to the Additional Convention signed at London on the 28th July, 1817, will show with exactness what are the portions of the African territory claimed by the Portuguese Crown, a right to which has been recognized by Her Majesty's Government.

The portion to which reference is now made, and which has obtained this recognition, is that portion of the western coast lying between the 18th and 19th degree of south latitude.

With regard to the situation of Ambriz, much ignorance appears to have prevailed in the year 1817, and much even to a later date; indeed, it appears from a paper which I have before me, that it was only at the close of the year 1847, that Viscount Palmerston learned from Her Majesty's Commissioners at Loanda, that Ambriz is situated to the north of that portion of the coast the sovereignty of which had been admitted by Treaty as belonging to the Portuguese Crown.

It is then manifest that an expression used by a Minister of Her Majesty, in his correspondence with a foreign Mission, and which must have been employed in consequence of the geographical error then prevalent, cannot be opposed successfully, either to the terms of a Treaty or the language of the same Minister after a rectification of the error in question.

The Undersigned, &c.

Count Tojal.

G. H. SEYMOUR.

No. 355.—Viscount Palmerston to the Chevalier de Ribeiro.

SIR, *Foreign Office, November 28, 1850.*

I HAVE the honour to acknowledge the receipt of your letter of the 23rd instant, on the subject of the desire which is entertained by the Portuguese Government, that negroes emancipated by the Mixed Commission at Loanda should be sent as free settlers and agriculturists to the Portuguese Islands of St. Thomas or Princes, or to the new Portuguese colony of Mossamedes on the continent of Africa; and I beg that you will have the goodness to inform me whether I am to understand from your note, that the condition of slavery is abolished at all those places.

I am, &c.

The Chevalier de Ribeiro.

PALMERSTON.

No. 356.—Viscount Palmerston to Sir Hamilton Seymour.

SIR, *Foreign Office, November 30, 1850.*

I TRANSMIT to you herewith copies of 2 despatches from the Commodore in command of Her Majesty's squadron on the west coast of Africa: the one, dated the 7th of August last, transmitting a copy of a report dated the 11th of July, from Captain the Hon. George Hastings, of Her Majesty's sloop *Cyclops*, inclosing copies of a correspondence which had taken place between that officer and the Governor-General of Angola relative to the Slave Trade which continued to be carried on from the Portuguese possessions on that coast; the other, dated the 3rd of August, inclosing a report of the same date from Captain Hastings, relating to the same subject.

I have to desire that you will transmit copies of these papers to the Portuguese Government, and that you will call their serious attention to the correspondence they contain, as proving, on the one hand, the great extent to which Slave Trade is carried on from the Portuguese possessions on the western coast of Africa, and on the other hand, as affording strong evidence of connivance of the Portuguese authorities in that trade.

You will especially call the attention of the Portuguese Government to the last letter of Captain Hastings to the Portuguese Governor, as showing that the subjects of the Queen of Portugal on the coast of Africa are guilty of the cruelty of selling their own domestic slaves, in order to send them to undergo the sufferings of the passage to America, and the still greater and more lasting miseries of the condition of slave-labour in Brazil. You will state that you are instructed to say that Her Majesty's Government cannot bring themselves to believe that if there was an earnest desire on the part of the Portuguese Government to put a stop to these criminal and disgraceful proceedings, sufficient means for accomplishing that purpose would not be found; and it is obvious that the first step to these criminal and disgraceful proceedings, sufficient

means for accomplishing that purpose would not be found ; and it is obvious that the first step to that end would be to direct prosecutions to be instituted against the many persons who in the African possessions of the Crown of Portugal, are constantly, openly, and notoriously engaged in Slave Trade undertakings ; and to visit with severe marks of royal displeasure those Governors and other colonial officers who violate those laws and break the Treaty engagements of the Portuguese Crown.

I am, &c.

Sir Hamilton Seymour.

PALMERSTON.

No. 357.—Viscount Palmerston to Sir Hamilton Seymour.

SIR,

Foreign Office, November 30, 1850.

WITH reference to my despatch of this day's date, I herewith transmit to you, for communication to the Portuguese Government, a memorandum containing a statement of facts to which I have to instruct you to call the serious attention of the Portuguese Government, as disclosing the manner in which the leading merchants of Loanda engage in Slave Trade, and the manner in which the officers of the Government screen such offenders from exposure and punishment. You will observe to the Portuguese Government, that this statement will afford them the means of making a thorough investigation of the case to which it more immediately refers, and of preventing similar proceedings in future.

I am, &c.

Sir Hamilton Seymour.

PALMERSTON.

(Inclosure.)—Memorandum relative to the case of the schooner-rigged vessel seized, with 180 Slaves on board, by Commander Patey, of Her Majesty's sloop Flying Fish, on the 31st of May, 1850.

No. 361.—Sir H. Seymour to Viscount Palmerston.—(Rec. Dec. 6.)

MY LORD,

Lisbon, November 28, 1850.

I BEG to transmit to your Lordship the copy and translation of a note from Count Tojal, informing me that Senhor Francisco Tavares d'Almeida has been dismissed from the Governorship of Benguela, upon the Government having become aware of his unfitness for the post.

I beg at the same time to inclose a copy of the reply which I have returned to his Excellency's communication.

I have, &c.

Viscount Palmerston, G.C.B.

G. H. SEYMOUR.

No. 363.—The Chevalier de Ribeiro to Viscount Palmerston.

MY LORD,

Portuguese Legation, December 2, 1850.

IN compliance with the request contained in your Excellency's letter of the 28th ultimo, to inform you whether it is to be under-

stood from my note of the 23rd that the condition of slavery is abolished at the Islands of St. Thomas and Princes, and at the new Portuguese colony of Mossamedes, I have the honour to say, that by Article II of the Decree of the 10th December, 1836, the importation of slaves is prohibited; and by Article XI of that Decree the transgressing of any of the dispositions thereof is attended with the loss of the slaves; and that such slaves are immediately declared free by the authorities; that in the House of Peers there is pending a project of law for the total abolition of slavery in the Portuguese dominions.

That the Minister of Marine, in his report to the House of Deputies in the last session, stated that the importation of slaves into those islands had been effectually impeded.

Therefore, though it cannot be asserted that the condition of slavery is abolished at those places, the fact is, that slavery only exists in the case of those negroes who were already there as slaves when the Decree was published, whose number, of course, has since been daily diminishing by death.

And I beg further to observe, if the negroes that any person should attempt to import into those islands are, according to that Decree, declared *ipso facto* free by the authorities, it is morally impossible that those negroes that might be sent there by the Government would remain as slaves, in violation of the same Decree.

I have, &c.

THE CHEVALIER DE RIBEIRO.

Viscount Palmerston, G.C.B.

No. 365.—*Viscount Palmerston to Sir Hamilton Seymour.*

SIR, *Foreign Office, December 12, 1850.*

I HAVE to refer you to the correspondence which has passed between Her Majesty's Government and that of Portugal, relative to the proposition which was made to Her Majesty's Government by Viscount Moncorvo, so long ago as the 10th of December, 1847, that the Mixed Commissions established at Jamaica and the Cape Verd Islands, under the Treaty of the 3rd of July, 1842, for the suppression of the Slave Trade, should be abolished.

Her Majesty's Government have signified their entire concurrence in the suggestion thus made by the Government of Her Most Faithful Majesty, but they have hitherto failed in obtaining the assent of the Portuguese Government to the terms of a protocol for formally recording the abolition of those Mixed Commissions; and the Portuguese Government have in the meantime withdrawn both their Commissioner and their Arbitrator from Jamaica.

The last proposition which Her Majesty's Government made to

that of Her Most Faithful Majesty upon this matter is contained in the note which was addressed by Mr. Howard to Count Tojal on the 15th of October, 1850; and I have now to instruct you to request that his Excellency will furnish you with a reply thereto.

I am, &c.

Sir Hamilton Seymour.

PALMERSTON.

No. 367.—Viscount Palmerston to the Chevalier de Ribeiro.

SIR,

Foreign Office, December 14, 1850.

I HAVE the honour to acknowledge the receipt of the letter which you addressed to me on the 2nd instant, with reference to your previous letter of the 23rd ultimo, on the subject of the proposition which was made by the Portuguese Government to that of Her Majesty, that negroes emancipated by the Mixed Commission at Loanda should be sent to the Islands of Princes or St. Thomas, or to the newly-established Portuguese settlement of Mossamedes. You state that there is no risk for the freedom of Africans who might be so removed,—First, because your Government are desirous of abolishing slavery at St. Thomas and Princes; secondly, because the number of slaves in those islands and at Mossamedes is small; and, thirdly, because the importation of new slaves into those places can easily be prevented.

You state further, as an inducement to Her Majesty's Government to comply with the request of your Government, that your Government has scrupulously maintained the freedom of the emancipated Africans; and, moreover, that neither with respect to the negroes from the launch *Fortuna*, who were liberated by the Mixed Commission in 1848, and whom you state to have been sent to Princes and St. Thomas, nor with respect to any of the negroes liberated by the Portuguese Prize Court at Loanda, and who have been sent to those islands, has there been any complaint presented either to the Portuguese or to the British Government that any one of such negroes has been again reduced to slavery.

I have now the honour to state to you in reply, that as it appears that the condition of slavery still exists, both at Mossamedes and at the Islands of Princes and St. Thomas, there would obviously be no security that negroes nominally emancipated would, if sent thither, remain really and practically free; and consequently Her Majesty's Government cannot agree to the proposal which you have submitted to me on behalf of your Government.

I think it right to add that Her Majesty's Government have no means of receiving information as to the condition and treatment of negroes who have been removed from Loanda or elsewhere to Princes and St. Thomas; and that, consequently, the mere circumstance that no complaint has been made by Her Majesty's Government in regard

to the treatment and condition of such negroes is no proof that those negroes have been in the full enjoyment of freedom. And I beg further to inform you that you are mistaken in supposing that the negroes from the *Fortuna* slaver, who were emancipated by the Mixed Commission at Loanda, have been removed to the islands in question. Those emancipados were located in the neighbourhood of Loanda, and were still in employment there up to the 30th of June last, as you will perceive from the accompanying copy of the quarterly report of the Curator of Liberated Africans, which bears date the 1st of July last.

I am, &c.

The Chevalier de Ribeiro.

PALMERSTON.

No. 369.—*Sir H. Seymour to Viscount Palmerston.*—(Rec. Dec. 14.)

MY LORD,

Lisbon, December 8, 1850.

I HAVE the honour of inclosing to your Lordship the copy and translation of a note which has been addressed to me by Count Tojal, acquainting me that, after a fresh reference to the Administrative Section of the Council of State, it has been again decided that the proposals of Her Majesty's Government respecting the conveyance of captured slaves to parts of Her Majesty's possessions are inadmissible.

His Excellency, reverting to the proposal made by him in his note to Mr. Howard of the 3rd September last, again proposes that the territory of the Cape de Verd should be selected for the landing of slaves captured by Portuguese ships to the north of the equinoctial line, and that those captured to the south of the said line should be landed at Loanda.

I have acknowledged Count Tojal's note, in the note of which I beg to inclose a copy.

I have, &c.

Viscount Palmerston, G.C.B.

G. H. SEYMOUR.

(Inclosure 1.)—*Count Tojal to Sir Hamilton Seymour.*

(Translation.)

Lisbon, December 3, 1850.

IN answer to the note which Mr. Howard addressed to me on the 15th October last, respecting the proposed abolition of the Mixed Commissions established at Cape Verd and at Jamaica, and in which he suggested on the part of his Government, that all slaves captured by a Portuguese or British cruizer, by virtue of the stipulations of the Treaty of 3rd July, 1842, to the north as well as to the south of the equinoctial line should be, without loss of time, conveyed to one of the British possessions; I have the honour to inform you that the Administrative Section of the Council of State having been again consulted upon this subject, it has proceeded to reconsider the opinion given in its former *consulta* upon the apprehensions evinced by Her Britannic Majesty's Government, with

regard to the landing at the Cape Verd Islands of slaves captured to the north of that line, and which gave rise to the rejoinder contained in Mr. Howard's above-mentioned note.

The said Section, therefore, still holding the same opinion set forth in the said *consulta*, with regard to the guarantees which secure the liberty of slaves landed in Portuguese possessions on the coast of Africa, where, notwithstanding that the condition of slavery is tolerated, their liberty cannot be compromised in presence of the positive provision of the above-mentioned Treaty, and of its strict observance on the part of the competent authorities, considers, that no motive exists for the non-adoption of the proposal of Her Majesty's Government, as contained in my note of the 3rd September last, and which I now renew to you, namely, that the territory of Cape Verd should be chosen for landing slaves captured by Portuguese ships to the north of the equinoctial line, and to the south of the said line, that of St. Paul de Loanda.

I avail, &c.

Sir Hamilton Seymour.

COUNT TOJAL.

(*Inclosure 2.*)—*Sir Hamilton Seymour to Count Tojal.*

M. LE COMTE,

Lisbon, December 7, 1850.

I HAVE the honour to acknowledge the receipt of the note which your Excellency addressed to me upon the 3rd instant.

Your Excellency's communication will be brought immediately to the knowledge of Her Majesty's Government, who will learn, I am convinced, with much regret, the confirmed objections entertained by the Government of Her Most Faithful Majesty to the proposal with regard to the landing of captured slaves which was submitted to you in Mr. Howard's note of the 15th October last.

I avail, &c.

Count Tojal.

G. H. SEYMOUR.

No. 374.—Sir H. Seymour to Viscount Palmerston.—(Rec. Dec. 26.)

MY LORD,

Lisbon, December 16, 1850.

I HAVE the honour of acknowledging the receipt of your Lordship's despatch of the 5th instant, and of forwarding to your Lordship a copy of the note which I have addressed to Count Tojal upon the occasion of communicating to him a copy of Commodore Wyvill's despatch of the 26th July last.

I have, &c.

Viscount Palmerston, G.C.B.

G. H. SEYMOUR.

P.S.—In the inclosed translation of the reply to my note, your Lordship will find that Her Most Faithful Majesty's Government acknowledge, in fitting terms, the service rendered by Commodore Wyvill to the Crown of Portugal.

G. H. S.

(*Inclosure 1.*)—*Sir Hamilton Seymour to Count Tojal.*

M. LE COMTE,

Lisbon, December 13, 1850.

BY orders of Her Majesty's Principal Secretary of State for Foreign Affairs, I have the honour to inclose to your Excellency the copy of a despatch which was addressed to Her Majesty's Government on the 26th July, by Commodore Wyvill, in command of Her Majesty's ships on the east coast of Africa.

It is highly satisfactory to learn from the Commodore's report that the Chief of Angozha has made a formal tender of his submission to the authorities of Her Most Faithful Majesty at Mozambique, pledging himself at the same time to put an end to Slave Trading within his district.

Her Majesty's Government have been anxious to bring this intelligence to the knowledge of your Excellency, and enjoin me, in communicating it to you, to observe that proof is now afforded of the operations of Her Majesty's cruizers on the coast of Africa being not only efficacious for the suppression of the Slave Trade, but favourable to the promotion of the interests of the Portuguese Crown.

I avail, &c.

Count Tojal.

G. H. SEYMOUR.

(*Inclosure 2.*)—*Count Tojal to Sir Hamilton Seymour.*

(Translation.)

Lisbon, December 16, 1850.

I ACKNOWLEDGE the receipt of the note which you forwarded to me on the 13th instant, and also of the accompanying copy of a despatch addressed to the Secretary of the British Admiralty by Commodore Wyvill, in command of the British Naval Station on the east coast of Africa, describing the manner in which he proceeded towards the Chief of Angozha, on the occasion of a visit to that port, and the means which he employed in order that the said Chief should acknowledge the sovereignty of Her Majesty the Queen.

I read with great satisfaction the contents of that despatch, and in the name of Her Majesty's Government I have the honour to beg that you will be pleased to give to your Government the most sincere thanks for the worthy manner in which that meritorious officer conducted himself, in obtaining not only the prompt submission of the rebel chief to the Portuguese authority, but also that he should on his part put an end to the Traffic in Slaves and to the residence of slave-dealers within his district.

I renew, &c.

Sir Hamilton Seymour.

COUNT TOJAL.

No. 376.—*The Chevalier de Ribeiro to Viscount Palmerston.*

MY LORD,

Portuguese Legation, December 31, 1850.

HER Britannic Majesty's Minister at Lisbon, Sir Hamilton Seymour, has communicated to my Government, by your Excellency's

[1850—51.]

2 L

orders, the copy of a despatch addressed to the Secretary of the Admiralty, by Commodore C. Wyvill, in which he relates the negotiations he had carried on with the Chief of Angozha, and which terminated in the return of the said Chief to the obedience of Portugal, acknowledging the sovereignty of Her Most Faithful Majesty, and in his pledge not to permit foreign Slave Trade in his district, or slave-agents or slave property to remain therein.

My Government having learnt with great pleasure the advantageous results of those negotiations conducted by the said Commodore, and appreciating his services on that occasion, has commanded me to render, in the most expressive terms, their thanks to Her Britannic Majesty's Government for the conduct of that worthy and gallant officer, which I have now the honour to do, availing myself of your Excellency's obliging intervention.

I have, &c.

THE CHEVALIER DE RIBEIRO.

Viscount Palmerston, G.C.B.

No. 380.—Viscount Palmerston to Sir Hamilton Seymour.

SIR,

Foreign Office, January 13, 1851.

I HAVE received and laid before the Queen your despatch of the 9th of November last, and I have to inform you that Her Majesty's Government entirely approves of the note which you addressed on that day to Count Tojal, in order to correct the inconsistency which appeared to exist in the language made use of by Her Majesty's Government respecting the right of Portugal to the sovereignty of Ambriz on the west coast of Africa; and that apparent inconsistency having, as you have correctly stated, arisen from defective information as to the precise geographical position of that place.

It will not be necessary for you to make any further communication on this matter in writing to Count Tojal, but it may be desirable that you should furnish his Excellency with a copy of the despatch which I addressed on the 2nd of December, 1847, to Her Majesty's Commissioners at Loanda upon this subject.

You will find that despatch in print at page 181 of Class A of the Papers on Slave Trade, presented to Parliament in 1848, copies of which were officially communicated to the Portuguese Minister in London.

I am, &c.

Sir Hamilton Seymour.

PALMERSTON.

No. 385.—Viscount Palmerston to Sir Hamilton Seymour.

SIR,

Foreign Office, January 16, 1851.

I HAVE received and laid before the Queen your despatch of the 8th ultimo, inclosing a copy and translation of a note which was addressed to you on the 3rd of December, 1850, by Count Tojal, in

which, with reference to the proposed abolition of the Mixed Commissions established at the Cape Verd Islands and at Jamaica, that Minister persists in claiming that slaves from slave-vessels captured to the north of the equinoctial line by Portuguese ships of war, should be taken to the Cape Verd Islands, and slaves captured south of the Line, to Loanda.

I have to instruct you to state to Count Tojal in reply, that as Her Majesty's Government have, with respect to this matter, no other desire than to secure the real freedom of all slaves captured, whether by British or Portuguese cruizers, they will agree to this proposition of the Portuguese Government, whenever the Portuguese Legislature shall have passed a law establishing in the Portuguese colonies a law for the registration of slaves, similar to that which existed in the British colonies before the Emancipation Act.

I am, &c.

Sir Hamilton Seymour.

PALMERSTON.

No. 394.—*Sir H. Seymour to Viscount Palmerston.*—(Rec. Feb. 5.)

MY LORD,

Lisbon, January 27, 1851.

ON the 18th instant, Viscount Sá da Bandeira presented to the Chamber of Peers a projet de loi to the following effect:

First:

ART. I. The Alvará with the force of law of 16th January, 1773, which declared to be free the sons and daughters of female slaves who should be born in the Kingdom of Portugal after the publication of the said Alvará, shall be enforced in all the ultramarine possessions of Portugal without exception, and equally on board of all Portuguese vessels.

II. The Government shall cause this law to be published without delay in all the ultramarine possessions, and shall cause it to be immediately brought into execution.

III. The Government is authorized to take all the measures necessary for providing for the rigorous observance of this law, and shall report annually to the Cortes the manner in which it has been carried into effect.

IV. All legislative enactments in contradiction with the above provisions are repealed.

Secondly:

ART. I. The abusive practice which exists in parts of the territory of Angola of compelling the natives, being free men, to certain labour, known under the denomination of “trabalho de carregadores,” and other analogous work is abolished, as being contrary to the dispositions of Art. CXLV, §§ 1, 6, 12, 15, 18, and 25 of the Constitutional Charter.

II. Therefore, from the publication of this law all the free natives

of the said province shall enjoy the full right of all Portuguese subjects to dispose of their services at the price which they may agree for.

III. The Government will, without delay, give the greatest publicity to this law in all the districts and garrisons of the said province, and will report to the Cortes the manner in which it has been executed.

IV. All legislative enactments to the contrary are repealed.

Thirdly:

ART. I. The Alvará with the force of Law of 19th September, 1761,* which ordains that slaves of both sexes who may be in the Kingdoms of Portugal and Algarves, should be free without the necessity of granting to them letters of manumission or any other document, shall be carried into effect in all the Portuguese ultramarine provinces, from the publication of this law.

II. The Government shall cause this law to be published without delay in all the said provinces, and shall carry it immediately into effect.

III. The Government is authorized to take all the necessary measures for the full execution of this law, and will report annually to the Cortes the manner in which it has been carried into effect.

IV. All legislative enactments to the contrary are repealed.

I have, &c.

Viscount Palmerston, G.C.B.

G. H. SEYMOUR.

No. 396.—Viscount Palmerston to Sir Hamilton Seymour.

SIR,

Foreign Office, February 8, 1851.

I HAVE to acquaint you that on the 6th of May, 1850, His Highness the Imaum of Muscat formally granted permission to Her Majesty's ships of war employed on the eastern coast of Africa in the suppression of the Slave Trade, to enter the creeks, rivers, ports, and bays between Cape Delgado and Sanga Manara or Pagoda Point, in search of vessels engaged in the Slave Trade, and also to destroy all barracoons or establishments found erected within those limits for carrying on Slave Trade.

Cape Delgado, which is situated about 10° 41' south latitude, is the point which separates his Highness' dominions on the east coast of Africa from the dominions of the Portuguese Crown upon that coast. Sanga Manara or Pagoda Point is apparently about 100 miles north-west of Cape Delgado.

In pursuance of the permission thus obtained from the Imaum, the boats of Her Majesty's ships *Castor* and *Dee* having proceeded in the month of May last on an inspection of the district referred to, discovered at a place called Masani, about 5 miles north-west of Cape

Delgado, a complete slave-trading establishment with barrcoons and sheds adjoining, capable of containing upwards of 1,000 slaves, surrounded by the houses of the slave-traders. The whole of those buildings, with the property contained therein, were set fire to and entirely destroyed. Early in the month of June, the boats of the same ships having proceeded to an inspection of the River Mozamba, in $10^{\circ} 36'$ south latitude, discovered at a village called Keonga, about 5 miles from the entrance of that river, another complete slave-trading establishment, consisting of barracoons capable of containing 4,000 slaves, stores, sheds, kraals, &c., and those buildings were likewise entirely destroyed, as well as a slave dhow measuring about 100 tons.

These slave-trading establishments are reported to have been in the habit of furnishing supplies of slaves not only to the market at Zanzibar to the northward, but also to the Portuguese settlements to the southward, for exportation thence to Brazil; and I have the satisfaction of informing you that their destruction is represented as likely to prove a serious check to the Slave Trade on that part of the east coast of Africa.

I have to instruct you to communicate these facts to the Portuguese Government.

I am, &c.

Sir Hamilton Seymour.

PALMERSTON.

No. 399.—Viscount Palmerston to Sir Hamilton Seymour.

SIR,

Foreign Office, February 19, 1851.

I TRANSMIT to you herewith a copy of a letter which has been received at this department from the Admiralty, inclosing copies of correspondence which had passed between Lieutenant Hoskins, of Her Majesty's ship *Dee*, and the Governor of Quillimane, and between Commodore Wyvill, commanding Her Majesty's squadron on the Cape of Good Hope Station, and the Governor-General of Mozambique; from which it appears that the *Dee* having on the 11th of August last entered the River Quillimane for shelter, Lieutenant Hoskins, her commander, was accused by the Governor of Quillimane of having violated the stipulations of the Protocol of the 12th of August, 1847, by entering a port where a Portuguese authority was established, and he was accordingly desired by the Governor to leave the river.

I have to instruct you to communicate the particulars of this case to the Portuguese Government, and to say that the conduct of the Governor of Quillimane in this affair was so unfriendly, and his objection was so destitute of any ground of right, that his proceeding unavoidably leads to the supposition that his motive for endeavouring to prevent a British cruizer from entering the river was a desire

to screen from detection the slave-trading factories which were established therein.

I am, &c.

Sir Hamilton Seymour.

PALMERSTON.

(*Inclosure 1.*)—*The Secretary to the Admiralty to Lord Stanley of Alderley.*

MY LORD,

Admiralty, January 6, 1851.

I AM commanded by my Lords Commissioners of the Admiralty to transmit to you, for the information of Viscount Palmerston, the inclosed copy of correspondence between Lieutenant Hoskins, of Her Majesty's steam-vessel *Dee*, and the Governor of Quillimane: also between Commodore Wyvill and the Governor-General of the Mozambique, respecting the *Dee* entering the Quillimane River, and the alleged violation of the Slave Trade Treaty with Portugal.

I am, &c.

Lord Stanley of Alderley.

W. A. B. HAMILTON.

(*Inclosure 2.*)—*Commodore Wyvill to the Governor-General of Mozambique.*

SIR,

Castor, off Quillimane, August 16, 1850.

I BEG to inclose, for your Excellency's information, the copy of a correspondence I have received between the Governor of Quillimane and Lieutenant Hoskins, in command of Her Majesty's steam-vessel *Dee*.

As that vessel has taken shelter in the Quillimane River, merely for safety, I do not see how the Protocol, to which the Governor alludes, has in any way been violated, more particularly as no search of any kind has been exercised, either of vessels, or for barracoons. I have sent Lieutenant Hoskins in the *Dart*, to inform you of the circumstances.

I request you will cause the Governor of Quillimane to be made acquainted with the friendly Treaties existing between our respective Sovereigns, which allow free ingress and egress to Her Majesty's ships of war into the ports of both nations.

As Lieutenant Hoskins reports the existence of a large slave establishment in the Olinda River, I beg you will authorize me to act in this instance, under the terms of the Protocol of the 12th of August, 1847,* for the suppression of the Slave Trade.

I have, &c.

The Governor-General of Mozambique.

C. WYVILL.

(*Inclosure 3.*)—*Lieutenant Hoskins to Commodore Wyvill.*

(Extract.)

Dee, Quillimane River, August 15, 1850.

I HAVE the honour to inform you, that in obedience to your

orders dated the 9th July last, I caused Her Majesty's steam-vessel *Dee* to be anchored in a secure position in this river on the 11th ultimo, and the next day I proceeded to wait on the Governor of Quillimane for the purpose of obtaining, according to your wishes, his definition of the limits of the port. On the arrival of an interpreter, the Governor expressed his indignation to me, that the *Dee* had crossed the bar without his permission, asserting that it was contrary to the terms of the Protocol (to the Portuguese Treaty), dated the 12th of August, 1847. After much discussion I requested him to state his objections in writing, in consequence of which, I received the accompanying letter (No. 1), to which I replied, as per annexed letter (No. 2), stating that Her Majesty's steam-vessel *Dee* had entered the river for shelter, and not for the purpose of exercising any right of search within the limits of the port. On the 15th of July I received, in answer to my letter, a reiteration of the Governor's protest against Her Majesty's steam-vessel *Dee* remaining in the river. Under these circumstances, I request you will grant me further instructions for my guidance in this matter. I beg to assure you that I have made no search or examinations whatever within the limits of this port, viz., within the bar of the river, as prescribed by the Governor himself, although I have promised the Governor to deliver up any slave-vessels under Portuguese colours, which shall cross the bar.

Commodore Wyvill.

A. II. HOSKINS.

(Inclosure 4.)—*The Governor of Quillimane to Lieutenant Hoskins.*

Government House, Quillimane, and Rivers of Senna,

MOST ILLUSTRIOUS SIR,

July 12, 1850.

AT 5 o'clock yesterday evening I received a communication from the Commandant of the station at the Flag Staff of this port, dated 6 A.M. the same day, informing me that an English steamer of war, employed cruising on this coast, entered within the bar, and having been some time aground on the bar bank, went and anchored opposite Olinda.

To-day, at 6 A.M., I ordered an aide-de-camp to board this vessel to learn and to inform me what could be the motive that authorised your Excellency to disregard, by such a proceeding, the positive signification of the conditions upon which was settled the Protocol, signed the 12th of August, 1847, by Viscount Torre de Moncorvo and Lord Palmerston (the former of Portugal and the latter of Great Britain), as Ministers Plenipotentiary.

Afterwards came your Excellency in person to this city, and told me that the steamer under your command entered this port for shelter, and to detach boats to search vessels that came to the bar.

It is time that your Excellency, in quality of Captain of one of Her Britannic Majesty's ships employed cruising for the suppression of the Slave Trade, be aware of the said Protocol, containing the conditions, of which the second states that the permission for English cruizers to enter the rivers, bays, and anchorages of this coast, is limited to the places where no Portuguese authorities exist, &c. ; and this port being one of the exceptions in the Protocol, since there is here a legally constituted Portuguese authority, that is, myself, as Governor of Quillimane and the Rivers of Senna, it is plain that your Excellency not unwillingly seeks to violate the sacred faith of the Treaties, which I will not willingly consent to, seeing that, rather than the dignity of the nation to which I have the honour to belong be insulted, failing other resources, I make this solemn protest, by this, my official letter, against the extraordinary proceeding of your Excellency, of which I shall inform the Governor-General of this province, inclosing him a copy of this letter, that he may take such measures as he may judge fit for communicating the same to the Government of Her Most Faithful Majesty.

God preserve, &c.

Lieutenant Hoskins.

JOAQUIM D'AZEVEDO ALPOEM.

(Inclosure 5.)—*Lieutenant Hoskins to the Governor of Quillimane.*

SIR,

Dee, Quillimane River, July 13, 1850.

I HAVE the honour to send for your perusal my copy of the Protocol of the conference between the Plenipotentiaries of Great Britain and Portugal, on the 12th of August, 1847, in which, though the permission to suppress the Slave Trade in creeks and rivers is limited to such as have no Portuguese authority resident in them, yet I cannot perceive that by it Her Britannic Majesty's ships or vessels of war are prohibited from entering any creeks or rivers for the purposes of shelter or refreshment.

I beg to repeat the statement I made to you yesterday, namely, that Her Britannic Majesty's steam-vessel *Dee* has not entered the Quillimane River for the purpose of cruising, boarding vessels, or keeping under surveillance, any traffic within whatever bounds you may yourself fix as the limits of the port.

In the event of your still withholding your sanction to Her Britannic Majesty's steam-vessel *Dee* remaining in her present position, the course I shall adopt will be to represent the circumstances of the case as soon as possible to my Commander-in-chief, and in the event of his not returning before he leaves the coast, to the Governor-General of Mozambique. I have, &c.

The Governor of Quillimane.

A. H. HOSKINS.

(*Inclosure 6.*)—*The Governor of Quillimane to Lieutenant Hoskins.*
 ILLUSTRIOUS SIR, *Government House, Quillimane, July 15, 1850.*

PERMIT me to acknowledge the receipt of your official letter of the 14th instant, and also its contents (*inclosure*), with the subject of which I am acquainted; but I do not know what right the vessels of Her Britannic Majesty employed in cruising for the Slave Trade have to enter limits where it is forbidden so to do; seeing that Treaties made by civilised nations ought to be religiously fulfilled and respected, and I, on my part, cannot allow that the rights of the nation to which I have the honour to belong be infringed or attacked; and therefore I make this protest, and shall, on the first opportunity, lay this case before the Governor-General of Mozambique, as I do not wish that such a precedent as this should be established, as I am sure that the cruising vessels of the English nation are not permitted to be stationed in this river.

God preserve, &c.

Lieutenant Hoskins.

JOAQUIM ALPOEM.

(*Inclosure 7.*)—*The Governor-General of Mozambique to Commodore Wyvill.*

Palace of the General Government of Mozambique,

MOST ILLUSTRIOUS SIR,

August 22, 1850.

I BEG to acknowledge the receipt of your letter, dated the 16th of the present month on board the frigate *Castor*, in the waters of Quillimane, and also of the copy of the correspondence which has taken place between Lieutenant Hoskins, commanding Her Britannic Majesty's steamer *Dee*, and the Governor of Quillimane. Giving all the importance which it merits to the matter contained in your Excellency's letter, I convoked the Council of this Government, as is commanded me in matters of importance; and in consequence, answering as I am bound to do, each of the subjects in your Excellency's letter, I shall notice that your Excellency says you cannot see that the Protocol has been in any manner violated by the entrance of the said steamer into the River of Quillimane, chiefly when, as your Excellency affirms, no kind of search has been made in vessels or barracoons. Your Excellency knows perfectly well that the permission granted by the Protocol signed in London, the 12th August, 1817, for the entering into rivers, bays, harbours, &c., is limited solely, as is stated, to those places where there does not exist any Portuguese authority; and the River of Quillimane, which has within its bar a flag-staff, a station, and, at a small distance from its mouth, a town of the same name, cannot, nor ought, certainly, to be considered as one of those rivers, entrance into which is permitted by the Protocol.

This vessel has not exercised the right of search. But it is

shown by the authenticated copies of the declarations, before the Council, of the masters of the brig *Amizade*, and brigantine *Esperança*, that there has been exercised within this river that of boarding, which is in direct opposition to Section 4 of Article III of the Treaty of the 3rd of July, 1842, for the complete abolition of the traffic in slavery.

With regard to your Excellency having requested of me that the Governor of Quillimane may be informed of the treaties of friendship which exist between our respective Sovereigns, and which permit, as your Excellency says, the free ingress and egress to ships of war into the ports of both nations; I must confess that I do not know that Treaties exist between Portugal and Great Britain, which contain such broad concessions, and that this same Protocol shows that this privilege could not exist; and your Excellency may see in the preliminaries of the Protocol of the 12th August, 1847, that the following statements occur: "That the Government of Her Britannic Majesty had demanded of the Government of Her Most Faithful Majesty that permission should be granted to the ships of Her Britannic Majesty, employed in the suppression of the Slave Trade, to enter into the bays, ports, anchorages, and rivers, and other places in the dominions of the Crown of Portugal on the east coast of Africa, where there was not established any Portuguese authority." So far it is evident, that if the permission of the English cruisers to enter the rivers, bays, harbours, &c., of the east coast of Africa, was granted by the Government of Her Most Faithful Majesty to that of Her Britannic Majesty by this said Protocol, there could not exist, undoubtedly, such permission, licence, or authority, previous to the said Protocol; and without doubt if the Treaty of the 3rd of July, 1842, included or admitted in it any such permission, licence, or authority, the Protocol would become unnecessary. Now the Protocol having terminated, things are exactly as they were before the Protocol was made. As for the Governor of Quillimane, I consider I ought to tell your Excellency that in the present instance, and considering what has been substantiated, he showed himself well acquainted with the existing Treaties, and how were limited the rights of both nations.

Respecting the authority demanded by your Excellency in the last part of your letter, in the terms of the Protocol to proceed with respect to the barracoons which your Excellency says exist, permit me to assure your Excellency that such permission far exceeds the limits of the power of the authority confided to me by Her Most Faithful Majesty, since it would allow a greater permission than that granted by the said Protocol; and that this permission being contrary to the spirit and letter of the 4th paragraph of Article III of the Treaty of the 3rd of July, 1842, it is not possible for me to

violate, in a clear knowledge of the question, the stipulations made by our respective Governments. I beg now that your Excellency will give your attention to the following very important considerations; that the lands on the banks of the River Olinda are Crown lands, which are farmed by the inhabitants of the city of Quillimane, which people must necessarily there have slaves, which are indispensable to the cultivation of the land, and some kind of house to preserve the crops they gather, the implements, and also offices; and that some of these may easily be taken by an ignorant person, or one ill-intentioned, for and represented to be barracoons of the kind to which your Excellency alludes.

I will by all means immediately proceed as far as I can in the most scrupulous investigation to find out the truth, and to have punished any persons who may be the authors or accomplices in case of the existence of the barracoons reported, which shall be immediately destroyed.

The duties of the position which I hold oblige me to remind your Excellency that it being proved in paragraph 1, that the entering of the steamer *Dee* into the River of Quillimane is not sanctioned by the Protocol, and the stipulations of the Treaty of the 3rd of July, 1842, having amplified this, it follows that this same Treaty has not been sufficiently considered; so I hope that your Excellency, taking into due consideration the stipulations agreed upon between our respective Governments, will give your orders that the said steamer *Dee* sail from the River of Quillimane.

I avail, &c.

DOMINGOS FORTUNATE DO VALLE.

Commodore Wyvill.

(*Inclosure 8.*)—*Declaration of the Masters of the Esperanza and Amizade.*

(*Inclosure 9.*)—*Commodore Wyvill to the Governor-General of Mozambique.*

SIR,

Castor, off Quillimane, August 28, 1850.

I HAVE the honour to acknowledge the receipt of your Excellency's despatch dated the 22nd instant, in answer to mine, upon the subject of my having ordered Her Britannic Majesty's steam-vessel *Dee* to take shelter in the Quillimane River.

I beg again to acquaint you that I was induced to do this from the nature of the Treaty of Peace and Alliance entered into between our respective nations, dated the 20th of July, 1654,* and not in reference whatever to either the Slave or Commercial Treaties.

Since the *Dee* has been in that port she has not in any one way

committed an act in contravention of the Slave Treaties, and your Excellency will perceive by Lieutenant Hoskins' explanation, that the declarations of the captains of the vessels boarded in the river by the *Dee's* boat are not borne out by the facts as an infringement of the 4th Section of Article III of the Slave Treaty dated the 3rd of July, 1842. In one case that officer, on his passage from Quillimane to the *Dee*, called alongside the brigantine *Esperanza* (which had just arrived from Mozambique) to procure information of the movements of Her Majesty's steamer *Castor*, and the other was that by the dingy of the *Dee* (a small boat, never used for boarding vessels officially), with 3 or 4 officers without warrants, orders, or arms, calling privately alongside the brig *Amizade*, for the purpose of purchasing some spirits of turpentine; which took place several hours after that vessel had anchored.

The *Dee* is peculiarly situated, being a transport steamer with small sails, and quite unfit for the open anchorage outside the river at this season; and not having sufficient coal to take her to the Cape of Good Hope at this time of the year, until a supply which I expect to arrive from Johanna, makes it necessary she should seek shelter in a secure port, which I consider Quillimane to be.

In conclusion, as your Excellency states in the 4th paragraph of your despatch, that you do not know that Treaties exist between Portugal and Great Britain which contain such broad concessions, as free ingress and egress for the ships of war into the ports of both nations, I beg to refer you to Article XVIII of the Treaty of Peace and Alliance dated the 10th of July, 1654, subsequently amended by another Treaty, dated 16th May, 1703,* *vide* Article XIX; and I trust your Excellency, upon a consideration of these strong and friendly conditions, will see fit to remove your objections to the anchorage taken up by the *Dee*, and be pleased to order that she wait her supplies in her present position. I am sorry that want of provisions obliges me to repair immediately to Mauritius for a supply, but I have left directions with the commanding officer off this port that should your Excellency still require it, the steamer is to be removed into the Well, where she will not interfere in any way with the Portuguese trade, although I must confess that I do not approve of it as a safe anchorage for a vessel of her description.

I have, &c.

The Governor-General of Mozambique.

C. WYVILL.

(Inclosure 10.)—*Lieutenant Hoskins to Commodore Wyvill.*

SIR,

Dee, Quillimane, August 27, 1850.

IN reply to your order of this date, desiring me to explain the circumstances attending the boarding of the Portuguese brig *Amizade*

and schooner *Esperanza*, as shown by the declarations of their respective captains, I beg to state that being at Quillimane, and hearing of the arrival off the town of a schooner from Mozambique, I called alongside her on my passage to the *Dee*, for the purpose of procuring information of the movements of the *Castor*, and the only questions put to the captain were on that subject. Again, with regard to the brig, during my absence from the *Dee*, the dingy of that vessel with 3 or 4 officers, including one from the *Dart*, proceeded on board her for the purpose of buying, if possible, some articles of which they stood in need; but I cannot learn that they gave the captain any cause to believe that they visited him with a view to ascertain the legitimacy of her traffic, and certainly they had no papers or authority to make any other visit. I have, &c.

Commodore Wyvill.

A. H. HOSKINS.

(Inclosure 11.)—*Chart.*

No. 403.—*Viscount Palmerston to Sir Hamilton Seymour.*

SIR,

Foreign Office, February 19, 1851.

I HEREWITH transmit to you a copy of a despatch from Her Majesty's Commissioners in the Mixed British and Portuguese Commission at the Cape of Good Hope, on the subject of the state of the Slave Trade in the Portuguese possessions on the east coast of Africa.

Her Majesty's Government have received with much satisfaction the honourable testimony conveyed in the inclosed paper as to the upright conduct of Senhor do Valle, the Portuguese Governor-General, with regard to the suppression of the Slave Trade; and I have to instruct you to communicate to the Government of Her Most Faithful Majesty the sentiments of Her Majesty's Government upon the subject.

I am, &c.

Sir Hamilton Seymour.

PALMERSTON.

No. 412.—*Sir H. Seymour to Viscount Palmerston.*—(Rec. March 15.)

MY LORD,

Lisbon, March 6, 1851.

I HAVE the honour to acknowledge the receipt of your Lordship's despatch of the 19th ultimo with its several inclosures.

As I have communicated the whole of these papers to the Minister for Foreign Affairs, the note which I addressed to his Excellency, and of which a copy is herewith inclosed, entered into no particulars of the misconduct of the Governor of Quillimane.

They were the less necessary, as I had previously explained to Count Tojal the whole circumstances of the case, and had observed to him, as I have again done in my note, that the Governor's inhospitable conduct, in ordering away a ship belonging to Her

Majesty's Navy, is probably to be explained by the desire of favouring the trade in slaves, and consequently of discountenancing those by whose efforts this vile traffic is repressed.

I have, &c.

Viscount Palmerston, G.C.B.

G. H. SEYMOUR.

(*Inclosure.*)—Sir Hamilton Seymour to Count Tojal.

M. LE COMTE,

Lisbon, March 6, 1851.

I HAVE received orders from Her Majesty's Government to lay before your Excellency the accompanying papers relating to the very extraordinary proceeding of the Governor of Quillimane, in ordering the departure of Her Majesty's ship *Dee*, which had taken refuge in the river.

This arbitrary order was founded, as was stated by the Governor, upon the grounds of the entry of the *Dee* into the River Quillimane being a violation of the stipulations of the Protocol of the 12th August, 1847, which ought, as he asserts, to have prevented the presence of a ship of war at a place where a Portuguese authority was established.

I need not, I am sure, comment to your Excellency upon the futility of the objection thus raised; and I content myself, therefore, with remarking that the Governor's proceedings are so little to be justified by Treaty stipulations, and are so contrary to the friendly conduct observed by the Government of Portugal towards the ships of Her Majesty's Navy, that a suspicion is unavoidably raised of this conduct having been prompted by a desire to favour slave-dealing, and therefore of acting with harshness and injustice towards those who are engaged in the repression of that detestable traffic.

With these feelings, the Governor appears to have forgotten that a ship of the British Navy was at the time, not in pursuit of slavers, but in request of refuge and security. I avail, &c.

Count Tojal.

G. H. SEYMOUR.

No. 416.—Sir H. Seymour to Viscount Palmerston.—(Rec. March 25.)

MY LORD,

Lisbon, March 14, 1851.

THE Portuguese Government being desirous of introducing the growth of cotton into their African possessions, have imported a quantity of cotton-seed from Maranhao, and are expecting a further supply from New York.

The culture, should it succeed, as there is every reason to believe will be the case, will in more than one way become an object of great importance to Portugal. It will furnish return cargoes, the want of which has been much felt ever since the exportation of slaves from the African coast has been prohibited, and it will supply employment

for a class of settlers who are beginning to arrive in considerable numbers in the colonies of Western Africa.

For some years past an annual emigration of about 4,000 persons has taken place from Portugal to Brazil; the tide seems now to be turning, and for the last 2 years a considerable number of Portuguese labourers and workmen have quitted Brazil in search of occupation in the Portuguese African possessions.

As I have alluded to persons emigrating from Brazil, I may take the opportunity of stating to your Lordship, that the eagerness with which the Brazilian Government is carrying out its new views respecting the Slave Trade appears to give rise occasionally to measures of rigour towards Portuguese subjects, against which this Government has grounds for expostulating.

Among the Portuguese lately sent away from Brazil, there is one, I am informed, a wealthy merchant of the name of Fonseca, who had been suspected, and I believe with full reason, of being connected with the Slave Trade. The proceedings instituted against this man having, however, failed in establishing the fact, he nevertheless received orders from the Government to leave Brazil, four months only having been assigned to him for winding up his affairs.

I have, &c.

Viscount Palmerston, G.C.B.

G. H. SEYMOUR.

No. 419.—Sir H. Seymour to Viscount Palmerston.—(Rec. March 25.)

MY LORD,

Lisbon, March 18, 1851.

I HAVE the honour to transmit to your Lordship the copy of a note which I have received this evening from Count Tojal, inclosing the copy of a portaria which has been forwarded to the Governor-General of the Cape de Verde Islands.

These documents, of which I am sorry to say a want of time prevents my being able to offer your Lordship translations, are of some importance as connected with that very important object, the abolition of the Slave Trade.

According to the inclosed portaria, a Portuguese arriving at the Cape de Verde Islands will not be allowed to bring more than ten domestic slaves with him; while in moving from one place to another of the island, it is forbidden him to be accompanied by more than two domestic slaves.

The portaria further enjoins upon the Governor-General the care of using all means in his power towards the repression of slaving, the recommendation being grounded as well upon the engagements of the Convention of 1842, as upon general principles of humanity.

I have, &c.

Viscount Palmerston, G.C.B.

G. H. SEYMOUR.

(*Inclosure 1.*)—*Count Tojal to Sir Hamilton Seymour.*

(Translation.)

March 17, 1851.

I HAVE the honour to acquaint you that the Minister of Marine has just communicated to me a portaria which was sent on the 21st day of February last to the Governor-General of the Province of Cape Verd, giving a clear explanation relative to the true meaning of Article V of the Treaty of 1842 for the suppression of the Slave Trade, in order thereby to avoid any abuses which might perhaps happen in the passage of slaves from one point of the province to another.

In communicating to you this document I trust that the Government of Her Britannic Majesty will not fail to recognise the anxiety of Her Majesty's Government for the entire abolition of the said trade in the dominions of the Portuguese Crown.

I profit, &c.

Sir Hamilton Seymour.

COUNT TOJAL.

(*Inclosure 2.*)—*Viscount Castellões to Count Tojal.*

(Translation.)

Paço, February 21, 1851.

THE official letter of the 22nd December, 1849, having been presented to Her Majesty the Queen, in which the Governor-General of the Province of Cape Verd, in virtue of the recommendations made in the Portaria of the 11th day of September of that year, for the more vigilant repression of the Traffic in Slaves, and faithful observance of the Treaty of the 3rd July, 1842, made with that object, states that he is persuaded that he can decidedly declare that the prohibitions against the Traffic in Slaves have not been violated in the Cape Verd Islands; as he cannot look upon the passage of slaves from one island to another as a violation of the same, when legally provided with a proper passport, with security as required by the law, and the security being finally redeemed by the document issued by the Chief of the Customs of the island to which they were bound, showing that the slave mentioned in the passport has landed there; and having heard in relation to this matter, the Councillor Procurator-General of the Crown, and the assistant of the Procurator-General of the Finances, Her Majesty has thought proper to command that it be declared to the Governor-General aforesaid, that the embarkation of slaves is permitted in 2 cases only:—1st. When a colonist leaves his residence definitively on the coast of Africa, and goes directly to establish himself on one of the islands of Cape Verd, Principe, or St. Thomé, when he may be accompanied by no more than 10 slaves, *bonâ fide* in the service of his house; 2nd. When a Portuguese colonist goes from one Portuguese possession where he resides, to another possession, also Portuguese, to return after a certain time to the place whence he set out, since he may in this case

be accompanied by one or two slaves, *bonâ fide* in the service of his house; observing, moreover, the other conditions and formalities required by the above Treaty; the result being that neither is the passage allowed of slaves from the Archipelago to the continent of Africa, even in the case where the colonist should remove his residence thither; nor again is the passage of slaves permitted from one island to another, the utmost extent allowed being, that colonists in going from one island to another may be accompanied by one or two slaves, *bonâ fide* in the service of their house, to return with the same slaves to the place of their residence, it being a violation of the prohibitions against the Slave Trade, if by chance they should not so return. Wherefore the aforesaid Governor-General of the province will issue proper orders and instructions in this sense to the civil authorities and heads of the customs.

Her Majesty commands that the aforesaid Governor-General be again recommended to use the utmost vigilance in the repression of any acts whatever prohibited in the Treaty and Decree aforesaid. Trusting that the aforesaid Governor-General, who is perfectly aware of the importance and seriousness of this matter, and who is entrusted by Her Majesty's Government with the abolition of the traffic, will, not only because of international stipulations, but much more from the principles of humanity, make every possible effort to prevent every unlawful act of slave-trading, and to punish with the utmost rigour of the law those which it may not have been possible to prevent. The which is communicated by the Department of the Secretary of State for the Affairs of the Marine and Colonies to the Governor-General aforesaid, for his information and due effect.

Count Tojal.

VISCONDE DE CASTELLOES.

PORTUGAL (CAPE VERDS).

CONSULAR.

No. 421.—*Consul Rendall to Visc^t. Palmerston.*—(Rec. April 8, 1850.)

MY LORD,

St. Antonio, Cape Verds, October 30, 1849.

I HAD the honour to address your Lordship under date of the 14th October, 1847, making some suggestions in reference to the abolition of the export Slave Trade in Western Africa; but recent events in that country having very much changed the former state of things, and a Committee of the House of Commons having lately expressed an opinion affecting the usefulness of a British squadron in that part of the world, I trust your Lordship will not deem

me intrusive in again bringing that interesting question under your Lordship's notice.

I beg, therefore, to call your Lordship's particular attention to the changes I have alluded to, and to the present state of the African West Coast.

1st. The abolition of slavery in all the French possessions.

This event, my Lord, affects a very extensive line of coast, including the banks of the Senegal and Gambia rivers, and the various nations within the influence of European connexion of those places. It effectually prohibits the exportation of slaves, because no plea remains for the making deposits of human beings, which formerly existed under various pretences, although made solely for the purpose of shipment. The whole of this country is therefore left free from any European Slave Trade, and affords a fine field for the work of the philanthropist, in the extermination of native domestic slavery, the increase of commerce, and the gradual civilization of the people.

The natives have been for centuries in friendly communication with Europeans, and appreciate their power and government, and are reputed for docility, intelligence, and industry. Traders from a great distance bring the produce of the interior to the marts assigned for commerce, and the whole country is rich in cultivation; valuable productions abound, the gold mines of Bamboube are of easy distance, while the English and French hold important establishments in the neighbourhood.

2nd. The apparent sincerity of the Portuguese authorities in the abolition of export Slave Trade, and to the promised consent of that Government for the gradual emancipation of all their domestic slaves.

The flag of this nation is now to be commonly seen upon the coast of Africa, and in these islands, in the pursuit of legitimate commerce; and a long period has elapsed since one of their vessels was detected in the exportation of slaves; and it is pleasing for me to report the absence of any suspicion of the existence of the contraband traffic. The people at Cacheo and Bissao, upon the African coast, are reported to be employed in cutting timber and tilling the soil.

Between these places and Sierra Leone are, however, the Rivers Grande, Nunez, and Pongos, notorious nests of the slave-dealers; and, although their trafficking has received a great check, I strongly recommend the putting of the Island of Bulama and the Isles de Los in a fair way of settlement, the services of a respectable population being equivalent to a cruizer.

3rd. The late blockade of the coast in and near the River Gallinas, by the British squadron.

This blockade, combined with the remembrance of the former acts of the British squadron under the orders of the Honourable Captain Denman, R.N., has effected much good, and, combined with the exertions of the authorities of Sierra Leone in securing treaties with all the native Powers, has completely annihilated the export Slave Trade of the river and neighbourhood.

4th. The formation of the Monrovia Republic.

This Government extends from that part of the coast to which I last referred, and joins the possessions belonging to Great Britain and other Powers upon the Gold Coast. It embraces a very interesting part of the country, and contains a most valuable class of natives, whose manual labour has served for all the working purposes required in Western Africa, besides securing to that extensive line of coast exemption from slavery.

5th. In the death of the late notorious slave-dealer, Souza of Whydah, and the act of the family emancipating the slaves belonging to them.

The act in question of this family, who possess immense influence with the surrounding nations, has already produced the best effects, the export of slaves having ceased in the neighbourhood. The exertions also of the British squadron in the same quarter, as well as in the bights and neighbourhood of Fernando Po, have given so great a check to the traffic, as to make the sight of a slaver an uncommon event; thus making the whole line of the African West Coast, north of the Equinoctial Line, free from export slavery.

In this statement, my Lord, I have traced a long extent of coast, running from the Senegal north to the Equinoctial Line south—upwards of 1,500 miles, and more than one-half of the space cruized over by the squadrons employed in the suppression of slavery, and which I have shown to be at the present time free from export Slave Trade.

I wish, my Lord, it was possible to speak in the same satisfactory manner of the state of the coast and the Slave Trade south of the Line, as I have just had the honour to represent that of the coast and the Slave Trade north of the Line; but I regret to say that “Brazilian influence,” or I might more properly say, “the influence of the resident Portuguese of Brazils,” reigns triumphant in Loanda and Benguela, and the coast north and south of those provinces, and that the Slave Trade exists in the most thriving state. I, however, trust that the exertions of the British squadron, combined with the good faith of Portugal, will very soon create a change for the better, and that we may be able to record the downfall of the Slave Trade in that quarter also.

This state of things unfortunately exhibits a strong necessity for the continuance of the British squadron upon the African coast, but

at the same time it affords the most gratifying proof of the benefits already derived from the past exertions of the squadron in question, and a grand token of what may be expected hereafter.

I perceive, my Lord, that the British squadron in Africa is designated "a blockading squadron," and therefore its utility is condemned, because it has not entirely prevented the exportation of slaves between the parallel of 20° north and 20° south latitude. I believe this is giving the squadron a name and responsibility which it has no right to bear. The Rio Pongos, Gallinas, Whydah, Ambriz, Cabenda, and one or two other places, are the only points the British squadron ever pretended to blockade in Western Africa; the remaining part of the coast, including the islands, having been subject only to the occasional visits of the cruizers. A reference to the map will show at once the error that some persons have committed.

The expense of keeping an effective squadron in the suppression of slavery is also complained of, and a hope is expressed that, at least, part of the ships now employed will be withdrawn; but were such a step taken, it would render the remaining ships of little or no avail in cruising over the present limits, which extend upwards of 3,000 miles.

If, however, the present force in Africa exceeds the wishes of Her Majesty's Government, I would remark, it would be better to withdraw the civil and military Governments, and give the charge of them to the naval force, by which means a large amount would be saved without detriment to the service, and a serviceable and important force kept in an effective state.

I trust, however, Her Majesty's Government will see sufficient necessity for continuing the employment of the present naval force in Africa, even if they do not increase their number, because I believe that the exertions of this squadron for another 5 years, combined with the other measures that may be put in operation, will be found sufficient to put down export slavery in Western Africa, besides working great results in other parts of the world, for the abolition of slavery altogether.

The services of a British squadron in Africa is certainly but one of the weapons necessary to be employed in the suppression of slavery; they are, however, of that importance to require them to be effective, for without them all other means to be used would be of no avail, as the necessary power to carry them into effect would otherwise be wanting. To the importance, therefore, attending this service, I have been induced to make this statement to your Lordship, in attempting to show what has already been done for suffering humanity in the united exertions of the squadron in question, and in the hope that those services may be deemed sufficiently of import-

ance by Her Majesty's Government to secure the continuance of them. I trust, therefore, I shall receive your Lordship's indulgence in thus trespassing upon your Lordship's time and attention.

I have, &c.

Viscount Palmerston, G.C.B.

JNO. RENDALL.

No. 422.—*Consul Rendall to Viscount Palmerston.*—(Rec. April 16.)

MY LORD,

St. Vincent, February 5, 1850.

IN reference to my letter to your Lordship, dated 30th October last, respecting the present state of the Slave Trade in Western Africa, I beg to inclose herewith a return, embracing the same matter, but showing the subject in a more ready and concise form.

Upon reference to this return, your Lordship will perceive that the export Slave Trade chiefly exists at this time south of the Line, upon the western coast towards the settlement of the Cape of Good Hope, and upon the eastern coast, between that settlement and the Red Sea.

Within these parallels, your Lordship will observe that the Portuguese occupy a very large portion of the distance, and that therefore we depend upon their sincerity and exertions for the suppression of slavery within that very considerable part of Africa.

I believe the Portuguese Government desire the power (because I believe they have the will) to put down slavery; but without means they are powerless, and therefore the export Slave Trade exists in the immediate neighbourhood of all their possessions.

The Portuguese officers are miserably paid, and this fact leads to the acceptance of bribes, in which case the orders of Government are disregarded; and, therefore, under existing circumstances the Government of Lisbon can give no assurance for the suppression of slavery, the contrabandist being a better paymaster than themselves.

I have been induced to bring these few remarks under your Lordship's notice, because I believe the subject to be one of great importance in securing an easy suppression of export slavery in a large portion of Africa; but it would be great presumption on my part to suggest to your Lordship any course to be pursued towards the Portuguese Government; but I beg permission to remark, that were the Portuguese Government provided with means to put down slavery within their colonies, and as far as their influence extended, it would insure to Africa south of the Line, on the western coast, and on the eastern coast to the Red Sea, almost perfect freedom from slavery, and leaving very little to be done in those parts for British cruizers.

I have, &c.

Viscount Palmerston, G.C.B.

JNO. RENDALL.

(Inclosure.)—*A Return of the Names and Places upon the Western Coast of Africa and Islands adjacent, between the Senegal River and 17° South Latitude, showing under what Government they exist, and the state of the Slave Trade there.*

St. Vincent, Cape Verds, February 5, 1850.

Names of Places.	Latitude	Under what Government existing.	What Laws in force in respect to slavery.	State the last Reports to the existence of Export Slavery.	
	About °				
Cape Verd Islands .	16 0N.	Portuguese ...	{ Export slavery forbidden. Domestic slavery exists.	} No export slavery	
Senegal ...	15 0	French ...	All slavery forbidden ...		Ditto
Gorce ...	14 0	Ditto ...	Ditto ...	Ditto	
Gambia* ...	13 0*	French and English...	Ditto ...	Ditto	
Cazamanza River ...	12 0	Ditto ...	Ditto ...	Ditto	
Cacheo ...	11 0	{ Portuguese ...	{ Domestic slavery allowed	Ditto	
Bissao ...		{ Ditto ...			
Bulama ...		{ English ...	All slavery forbidden ...	Ditto	
Nunez River ...	10 20 }	Native ...	{ The occupation of Bulama and Isles de Los will watch over and give laws to these places.	Ditto	
Pongos River ...	9 30 }				
Isles de Los ...	9 30	English ...	All slavery forbidden ...	Ditto	
Sierra Leone ...	8 30	Ditto ...	Ditto ...	Ditto	
Banana Island ...	8 0	Ditto ...	Ditto ...	Ditto	
Plaintain Island }					
Sherboro ...	7 40	Ditto ...	Ditto ...	Ditto	
Gallinas ...	6 30	Native ...	Slavery forbidden ...	Ditto	
Cape Mount ...	6 0	{ Monrovia Republic .	Ditto ...	Ditto	
Kroo Country ...	5 30				
Cape Palmas ...	5 0				
Cape Three Points .	5 0	English ...	Ditto ...	Ditto	
Fort d'Elmina ...	5 0	Dutch ...	Domestic slavery exists.	Ditto	
Cape Coast ...	5 0	English ...	All slavery forbidden ...	Ditto	
Accra ...	5 0	Ditto ...	Ditto ...	Ditto	
Benin ...	5 0	Native ...	{ Domestic slavery ...	} The reports from this part of the coast are very favourable; export slavery may be considered to be nearly suppressed.	
Whydah† ...	5 0	Portuguese ...			
Brass ...	5 0	Native ...			
Biafra ...	4 0	Ditto ...	{ Slavery forbidden ...		
Fernando Po ...	3 0	Spanish ...			
Prince's Island ...	2 0	Portuguese ...	Domestic slavery allowed	} A very active trade in the export of slaves is carried on along the whole line of this extensive coast.	
St. Thomas's Island	Line.	Ditto ...	Ditto ...		
Annobom‡ ...	Line.	Ditto ...	Ditto ...	} A very active trade in the export of slaves is carried on along the whole line of this extensive coast.	
Gaboon ...	2 0S	{ French and Portuguese; nearly the whole of this coast belongs to Portugal, or under the influence of that nation.	The law of Portugal ought to exist along this coast, which only permits domestic slavery.		
Loanda ...	5 0				
Angola ...	10 0				
Benguela ...	14 0				
Coast ...	17 0				

MEM.—Within the Portuguese possessions on the Eastern coast of Africa, the Slave Trade is equally brisk as existing on the Western coast.

JNO. RENDALL.

* The Gambia is under the exclusive government of Great Britain.

† Whydah is under the government of the King of Dahomey.

‡ Annabom belongs to Spain.

PORTUGAL (LISBON).

CONSULAR.

No. 428.—*Consul Smith to Viscount Palmerston.*—(Rec. March 25.)
(Extract.)

Lisbon, March 19, 1851.

I HAVE the honour to acknowledge the receipt of your Lordship's despatch of the 21st ultimo, and in obedience to the command therein contained, I beg leave to report to your Lordship the result of my inquiries on the subject to which that despatch relates.

The information I have obtained, from sources upon which I consider reliance may be placed, is to the following effect :

Between 300 and 400 persons have returned to Portugal from the Brazils within the last twelvemonth. Some of them have made considerable fortunes, and most of the others appear to have realized some wealth. The aggregate amount of the capital brought back by them is estimated at about 400,000*l.* Most of these persons having originally emigrated from the northern provinces of Portugal, have returned to that part of the country, chiefly to Oporto and its vicinity, where they have been purchasing property in lands, houses, &c., and but few of them have come to settle in Lisbon.

It is of course extremely difficult to find out by what means their wealth has been acquired, but judging from the well-known fact that, generally speaking, they emigrated from Portugal without capital, and from the rapidity with which some of them have become enriched, it may fairly be presumed that they have been directly or indirectly engaged in the Slave Trade.

I have been informed that a wealthy Portuguese subject, by name Joaquim Pedro de Fonseca, who was recently brought to trial at Rio de Janeiro for alleged Slave Trade dealings, having been acquitted, owing to the want of evidence sufficiently strong to substantiate the charge, the Brazilian Government, nevertheless, having reason to believe him really guilty, have ordered him to quit the country at the expiration of 4 months, which period has been allowed to him for the settlement of his affairs. This circumstance has probably already been conveyed to your Lordship's knowledge.

I shall continue my inquiries, and shall not fail to communicate to your Lordship any further particulars which I may be able to collect.

I have, &c.

Viscount Palmerston, G.C.B.

W. SMITH.

PORTUGAL (LOANDA).

CONSULAR.

No. 434.—*Vice-Consul Brand to Viscount Palmerston.*—(Rec. Dec. 26.)

MY LORD,

Loanda, September 26, 1850.

I HAVE the honour to inclose herewith the copy of a letter which I have this day addressed to the Commander-in-chief of Her Majesty's Naval Forces on this coast, transmitting to him a copy and translation of a local ordinance issued by the late Governor-General of Angola, relative to vessels employed in the coasting trade of the province.

I have been induced to make the Commander-in-chief acquainted with this document, not only because it appears very convenient that he should know what the local regulations on such a subject are, but also because I think it probable from the very depressed condition in which the Slave Trade interest at Loanda now is, that a desperate effort will be made to ship slaves in the few small vessels belonging to the place hitherto employed solely in coasting voyages.

Never during the period of my residence here, now upwards of 5 years, have the traffickers been so hardly pressed, nor the effects of that pressure been so clearly visible; and the panic caused on the recent proceedings of Her Majesty's cruizers on the coast of Brazil becoming first known here has been kept alive by a report, which I trust may prove correct, that the squadron on the west coast of Africa is to be augmented.

I have, &c.

Viscount Palmerston, G.C.B.

G. BRAND.

(Inclosure 1.)—*Vice-Consul Brand to Commodore Fanshawe.*

SIR,

Loanda, September 26, 1850.

I BEG to inclose herewith a copy and translation of a portaria issued by the late Governor-General of Angola, prescribing the formalities and documents requisite for the navigation of vessels employed in the coasting trade within the waters of this province.

This portaria was issued under the authority conceded to the Governors of the ultramarine provinces by the 1st section of the VIIIth Article of a Decree of Her Most Faithful Majesty, dated the 1st June, 1847, which decree was put in execution and become law in Angola on the 22nd June, 1848.

I deem it unnecessary to trouble you with any observations on this ordinance, observing simply, with regard to the IInd and IVth Articles, that the extent of coast there mentioned, as that along which coasting-vessels furnished with papers by this General Government are authorized to navigate, viz., from Cape Frio to

Molembo (called Mares da Provincia), appears much greater than that of the coast of the territories possessed by the Crown of Portugal on the western coast of Africa south of the Equator, as declared in the 1st section of the IInd Article of the Additional Convention to the Treaty of the 22nd January, 1815,* signed at London on the 28th July, 1817.†

I have, &c.

Commodore Fanshawe.

G. BRAND.

(Inclosure 2.)—*Portaria of the Governor-General of Angola.*

(Translation.) *Palace of Government in Loanda, June 24, 1848.*

The Governor-General of the Province of Angola and its Dependencies ordains the following:

ATTENDING to the interests of commerce and of the coasting navigation of this province, and using the power conceded to me by the 1st section of the VIIIth Article of the Decree of the 1st of June of the past year, printed in the “Boletim” of this General Government, No. 110, of 16th October last, and which was ordered to be put in execution in this province by portaria of this General Government of the 22nd instant, I deem it suitable to ordain as follows:

ART. 1. After the space of 90 days counted from the publication of this portaria, no coasting-vessel is to navigate without the competent passport granted by the General Government.

§ 1. The passport for these vessels shall be annual.

§ 2. The vessels employed exclusively in bringing water and provisions from the Bengo and Dande to Loanda, may navigate without passports, as they have done hitherto.

II. The passport will be granted in order to enable coasting-vessels to navigate in the coasting trade within this province from Cape Frio to Molembo, and will cease to serve always when the said vessels may have to proceed beyond the sea, or beyond these limits; in such case a new passport is required.

III. The documents necessary for the granting of the passport are: an authentic certificate of the registration of the ownership of the vessel, which shall be recorded in the office of the General Government; the certificate of the admeasurement of the same vessel signed by the captain of the port (Patrão Mór) in Loanda, and attested (rubricado), by the Commandant of the Portuguese Naval Station on the coast, or by the person discharging his duties; and a certificate of the bond entered into in the Custom-House of Loanda, by which the respective master shall oblige himself not to engage in any Slave Trade (“em Commercio algum d’Escravos”), and not to proceed in contravention of what is provided in the 48th chapter of the Rules of the Government of this province. This

bond will stand good for one year, and remain deposited in the above-mentioned office.

IV. The coasting-vessels furnished with the passports granted by the General Government, become entitled to navigate in the seas of the province, as above declared; it being necessary, however, on all occasions of their leaving the ports of the same, to obtain the requisite pass from the proper authority, for which only 2 milreis is to be charged.

V. In order to obtain, in the office of the General Government, the pass for the departure of coasting-vessels from the port of Loanda, the owners or masters must present in the said office, not only the passports granted by the General Government, but also a receipt showing that they have paid to the hospital the contribution prescribed in the Public Edict of the 20th October, 1841.

§ (single). If the vessel which navigates in the coasting-trade be of more than 6 tons, her owner or master ought to enter into a bond in the office of the General Government for the return of the said vessel to this port within a fixed time, calculated according to the voyage about to be made.

VI. The crews of coasting-vessels shall always be matriculated (entered on the crew-list) in the office of the General Government, and every individual composing the same accurately described.

§ 1. The "matricula" (crew-list) in which such vessels shall sail from the port, can be altered only in the ports of the province where there are authorities, and the alteration made shall be noted on the back of the same "matricula."

§ 2. No slaves can be matriculated as belonging to the crews of any coasting-vessel, without the master of the same having entered into bond in the office of the General Government, for the return to this port in the same vessel.

VII. The passport signed by the Governor-General, the pass, the matricula signed by the Secretary-General, and the certificate of admeasurement in conformity with what is prescribed in Article III, are the documents which enable coasting-vessels to leave the port.

VIII. For the passports with which coasting-vessels ought to navigate, there shall be paid the same sum as that stated in the table which forms a part of the Decree of the 1st June of the past year, adding, however, 25 per cent. for difference in the value of the money, that is, there shall be paid 3 milreis.

§ (single). Any of these vessels which, from absolute necessity (*força maior*), duly proved, shall be obliged to put into this port, and shall not, for this reason be able to arrive at the place of her destination, shall obtain in the office of the General Government, without the payment of the respective emoluments, the pass to pro-

ceed on her voyage, provided there be exhibited the minute of presentation in the Custom-House of Loanda, in which minute is to be set forth the reasons of her having entered the port.

IX. As soon as any coasting-vessel shall arrive at this port, her master must present her passport in the office of the General Government, in order that the competent note of presentation may be made on the back of it.

X. If before the end of the year for which the passport avails, the back of it should be filled up with notes of presentation, it shall be exchanged for another in the office of the General Government without payment of emolument, in order to complete the year unexpired; but it shall have (that is, shall be charged with the duties of) the public seal.

XI. The Governor of Benguela, when any coasting-vessel is about to leave that place, shall write on the back of it, the respective passport, the pass, and on her arrival at that port, the competent note of presentation.

§ (single). In order to the departure from Benguela of coasting-vessels whose owners reside in that city, the Governor of the same is to observe what is prescribed in Article V, and in the 2nd section of Article VI, which he will make correspondingly applicable, causing the matricula of the crew of the said vessels to be drawn up in the competent office. The authorities and other persons to whom a knowledge of this portaria belongs will so understand and obey it.

PEDRO ALEXANDRINO DA CUNHA.

No. 440.—*Vice-Consul Brand to Viscount Palmerston.*—(Rec. Mar. 31.)

MY LORD,

Loanda, January 13, 1851.

IN my despatch of the 26th September last, I referred to the probability of slaves being shipped in coasting-vessels, and also to the very depressed condition of the Slave Trade interest in this neighbourhood.

I am now desirous of making a few observations on each of these heads.

With regard to the former, events have fully verified what I then supposed would take place; for, besides the case of the *Vinte-cinco de Setembro*, the particulars of which are already known to your Lordship, 3 other attempts have been made to carry away slaves in vessels employed in coasting voyages.

The first is that of the Portuguese palhabote *Oriente*, of 26 tons, which, under different owners, had been employed in coasting voyages for upwards of 4 years.

This vessel sailed hence on the 14th August last for Novo Redondo and Quicombo, with a crew of 5 persons and 2 Cabenda

men, and a cargo consisting of powder, timber, provisions, and bale goods; carrying at the same time 2 Government despatches, and, like the *Vinte-cinco de Setembro*, also 2 slaves as passengers.

Some time after her departure, it became notorious here that she had escaped with a cargo of about 200 slaves; and a recent report gives it out that she was captured near Rio de Janeiro by the Brazilian authorities, if not by a Brazilian cruizer, with the slaves on board, and with all the correspondence addressed to the agent at Rio, said to be Joaquim Pinto da Fonseca, brother of the notorious Manoel Pinto da Fonseca, of that city.

The second case is that of a Portuguese schooner, called the *Rival*, of 39 tons, which was built in the River Dande, and brought here in June last. After making one or two coasting voyages, her last arrival being from Benguela on the 6th November, in ballast, she cleared out on the 15th of last month for the south, although her departure was not published; and there appears to be no doubt whatever that she was the vessel which was surprised in the act of preparing to embark slaves close to Quicombo, by Her Majesty's sloop *Sealark*, on the afternoon of the 25th ultimo, when she run herself on shore to avoid capture.

The third case referred to is that of the Portuguese patacho *Veiga*, of 109 tons, which arrived here from Oporto on the 2nd October last, after a passage of 38 days, sailed hence on the 18th November, ostensibly for Benguela, with a crew of 13 persons, and a cargo consisting of oil, ground-nuts, agoardente, and sundries; carrying, at the same time, 4 mails and one Government despatch; and was captured by Her Majesty's ship *Cyclops* on the morning of the 20th of the same month, to the southward of Ambriz, with 623 slaves on board.

This case, which has caused a good deal of sensation, and the particulars of which will come before your Lordship through other sources, was not strictly that of a coasting-vessel; but as the *Veiga* cleared out on a coasting voyage on the occasion of her capture, I have referred her to the same class as the two preceding.

These proceedings might at first sight appear as strong evidence of the activity of the traffic in this neighbourhood; such a view, however, I believe, would be both unsound and superficial, and the true cause, I am fully convinced is to be found in the depressed state of the trade, and the embarrassments of the traffickers, by which they have been goaded on to these daring and ruinous enterprises, with the desperation of men resolved to run all risks for the chance of obtaining a temporary relief from their present difficulties.

In favourable circumstances, the employment of coasting-vessels for the transport of slaves beyond the seas would not readily be

resorted to, as such vessels could be much more profitably engaged in facilitating the trade by carrying provisions, equipments, correspondence, and even slaves along the coast to the points of embarkation; and their employment for the transport of slaves has this additional inconvenience, that their non-appearance at this port within the period for which the bond given on their clearance extends, subjects their owners to the risk, at least, of having to pay the amount of that bond.

This inconvenience may indeed sometimes be got over in various ways, but is nevertheless felt, and will usually be avoided.

When the trade was brisk, and plenty of vessels coming over to carry the slaves away, the employment of these small craft was, I believe, seldom heard of, they were then much more profitably and safely used in aiding the traffic in the way I have indicated; and I believe it to be owing entirely to the vigorous operations of Her Majesty's squadron both on this and the other side of the Atlantic, conjoined with the stop which has been put to the use of vessels under the American flag for upwards of 2 years, the palladium of the slave-dealer, that such proceedings as I have reported have occurred, and that these small vessels have been resorted to as a last resource.

The case of the *Veiga* tends to a similar conclusion.

Had that vessel cleared out for the Brazils, or for any distant port, her subsequent proceedings would have been less surprising; but that she should, with the intention of shipping slaves, clear out on a coasting voyage, carrying Government mails and despatches, with the certainty of thus being very soon detected, seems astonishing.

This might be adduced as a proof of the bold effrontery and activity of the slave-dealers here, and there is no doubt that they are capable, on an emergency, of doing anything; but my experience and observation convince me that they are as cautious as they are daring, and that unless hard-pressed (as is known to have been the case with the parties connected with the palhabote that escaped with slaves some years ago through the Bar of Corimba, and is also now known to be the case with others interested in the affair of the *Veiga*), such openly hazardous enterprises will not usually be attempted.

I am therefore disposed to deduce from these proceedings a proof of the second point to which I would now shortly refer, viz., the depressed condition of the Slave Trade interest in this neighbourhood. This is sufficiently apparent to those who are resident here, but I beg to mention a few particulars by way of illustration.

I would refer first to the monetary and financial condition of

this place. This province, although now possessing a small and increasing legal export trade, which, curiously enough, almost dates its commencement from the period when Her Majesty's cruizers were first authorized to capture slavers south of the Equator, is yet unhappily so mixed up in its resources with the Slave Trade, that the state of the money market and the condition of the traffickers reciprocally influence each other, and thus the former may be regarded as a fair exponent of the prosperity of the latter.

Never, probably, within the memory of the oldest inhabitants, was the want of money so much felt here as at this moment.

Metals have almost totally disappeared, and our currency is, I may say, entirely a paper one, consisting of notes issued by the Provincial Treasury, and guaranteed by the public revenue, and Custom-House bills given by the merchants for duties on goods cleared out for consumption, guaranteed by real property mortgaged to the Government.

This disappearance of foreign metal from the market shows that the remittances from the Brazils for slaves landed there, and which used frequently to be made in gold, have ceased.

The older inhabitants who speak of the golden age, when the Slave Trade was in full vigour, refer always to the abundance of metal then in circulation, as a proof of the prosperity of the place, and to its present disappearance, as evidence of the ruin of that traffic.

The paper money formerly consisted chiefly of very large notes, sometimes of the value of 500,000 reis, but, as the metals have disappeared, these have all been withdrawn, and smaller ones issued.

Since my arrival, these notes have been twice reduced in value, and I hear, that as things are becoming daily worse and worse, we are soon to have a new issue of paper in notes, so low in value as 3s. sterling

Turning to the body of slave-merchants, depression and distress are most apparent; the payments of debts by them are now almost hopeless, and the greatest distrust is felt in all transactions of a commercial character. Indeed it is pretty well known that one of the parties interested in the recent affair of the *Veiga*, and who has not hitherto been considered as a slave-dealer, was induced as a last resource to obtain payment of debts due for goods he had sold, to accept slaves and ship them in that vessel.

Another party with whom I was lately conversing, and who has recently arrived from Lisbon with a cargo, stated that in what he termed "the present paralysed state of the traffic," it would be folly to attempt sales, and that he had consequently freighted his vessel for a voyage to Rio de Janeiro for a sum sufficient to pay little more

than the expenses, and was endeavouring in the meantime to collect the debts already due to him.

In fact, among the body of slave-merchants, with the exception of two or three possessed of a little property, and who have withdrawn from and are not now solely dependent on the traffic, there is scarcely one believed to be in a state of solvency.

The debts of one of the largest, who on my arrival here was in prosperous circumstances, were calculated the other day at 250 contos of reis, whilst his assets, including doubtful debts, did not exceed 20 contos: and it is known to me that bills drawn by him on Rio for about 2,000*l.* were lately returned protested, there being no funds belonging to him there, that is, no slaves had been received.

The slave-dealers here, in fact, only hang on through the forbearance of their creditors, who probably entertaining faint visions of better times for the traffic, see that to push them at present would take away the last hope of receiving anything; and because they are so mixed up together in their affairs, that to press upon any one would bring down the whole body.

So little confidence is felt in the stability of this class, that the provincial Government is taking measures to increase the security of the Custom House bills, which form at present a very considerable part of our paper currency.

In connexion with this head it may be interesting to mention that, besides smaller concerns, the 3 largest slaving establishments, which on my arrival were in a state of great activity at this place, have since then been entirely broken up.

These were all Brazilian agencies, and were conducted on a large and expensive scale.

The first was that of Joze Bernardino da Sá, of Rio de Janeiro, the former agent of which is now living here in very reduced circumstances.

The second was that of Jorge Joze da Souza, also of Rio de Janeiro.

This establishment, described as one of the largest in Angola, is completely broken up; and the agent, who became a bankrupt some time ago, is living here as is believed in great poverty.

The third establishment referred to is that of Amaral and Bastos, likewise of Rio de Janeiro, a firm well known for their extensive slave-trading transactions, and more especially in connexion with the attempt to carry on the traffic by means of steamers.

Their large agency here and their subordinate one at Ambriz are both now broken up, and their principal agent, Francisco Antonio Flores, a Brazilian, left this place for Rio in July last, leaving only one of his clerks to wind up the business.

I may here notice that Flores, as is pretty well known, and as I

am informed by a high authority here, resided at Loanda under the special protection of a decree of the Portuguese Government; and although a foreigner solely occupied in carrying on the Slave Trade, it was beyond the ordinary powers of the Governor-General to expel him from the place.

Thus have disappeared 3 of the largest slaving establishments at this place, which were conducted on an expensive scale, and the agents of which used to live in a style of great ostentation; the embarrassed condition of the few remaining houses generally has been already sufficiently dwelt upon, and hence the desperate efforts to ship slaves at all hazards referred to in the beginning of this despatch.

Of the old slaving establishments, not more than 2 or 3 remain, and it is by these struggling to hold on, and aided by a few small dealers and perhaps occasionally by parties not dependent on the traffic, that such efforts are made.

Nor is it only in Loanda that the depressed, or to use the expression current here, "the paralyzed state of the traffic" is visible, the extensive line of coast between this place and the River Congo exhibits the same.

This part of the coast was that on which the Loanda slave-dealer chiefly carried on his larger operations, and I was always persuaded that the strict watching of that line would be immediately felt here: such in fact has been the case.

To Commander Tudor, of Her Majesty's steam-sloop *Firefly*, is due the credit, not only of uprooting the Slave Trade in the River Congo, but also of solving the problem as to the amount of force requisite for that purpose.

That by his extraordinary exertions that officer fully succeeded in this most important service is proved not only by the breaking up of the factories, but also by the frank confessions of parties with whom I have conversed on the subject.

Again, that haunt of the traffic, Ambriz, which, from being immediately beyond the Portuguese territory, and at the same time so near this place, afforded such ample facilities to the slave-dealer, that it might be considered the slave port of Loanda, was so closely watched by the late senior officer of this division, that the traffickers have been driven to the greatest extremities.

On this head it may be sufficient to observe that no fewer than 7 slaving factories at that place have been broken up in the course of the past year, and that the few which remain are in a state of inactivity, the agents being in great difficulty as to the disposal of the slaves they have collected. In connexion with Ambriz, there is another interesting fact which deserves notice, viz., that the trade in the ground-nut, which on the northern coast appears to have in

many places supplanted the Slave Trade, and also the collection of the orchilla weed, have been begun at that place.

A French barque sailed hence for Rouen in August last, with a cargo composed in a great part of ground-nuts, collected at Ambriz by parties whose object in first going there was that of embarking slaves; and the same vessel is expected back soon for another cargo now in course of being got ready.

Besides the ground-nut, the orchilla weed, said to be abundant along the coast to the northward, is also being collected at Ambriz; and I hear that some of the remaining traffickers, despairing of being able to ship the slaves they have collected, intend to employ them in gathering this article.

These two new branches of trade have not been begun at Ambriz by the agents of the commercial houses formerly established there for legal trade, but solely by parties engaged in the slave traffic.

Two separate applications have already been made to me by these parties with the view of ascertaining the possibility of freighting vessels bringing coals for Her Majesty's steamers to this place, to take return cargoes of ground-nuts and orchilla from Ambriz to England.

Whilst I have the satisfaction of reporting these indications of a change for the better, I cannot help stating at the same time my conviction that they have been brought about entirely by the vigorous measures so perseveringly carried out for the suppression of the traffic in slaves, and that the parties above alluded to have thus been led to direct their attention to more honourable pursuits.

In this conclusion I am borne out by the frank confessions of some of the parties themselves, whilst the intense interest that is felt here in the report that a considerable increase of steam force is to be made to Her Majesty's squadron, and the hopes and fears that have been expressed to me by those who have questioned me on the subject, clearly show how effective the operations of that squadron have been, and how much their increase is dreaded.

At the present critical moment, therefore, when the traffic has been so thoroughly paralyzed, any relaxation of these operations could scarcely fail to be followed by the most painful consequences, for were such to appear before things have taken a deeper root, it is to be feared that former habits would revive, and that the interesting efforts above mentioned, as indicating a disposition to substitute legal trade in localities where the traffic in slaves has hitherto been predominant, would speedily be abandoned.

I have, &c.

Viscount Palmerston, G.C.B.

G BRAND.

SARDINIA.

No. 442.—Viscount Palmerston to the Hon. Sir R. Abercromby.

SIR,

Foreign Office, March 20, 1851.

HER Majesty's Government have received information from Her Majesty's Consul at Bahia, that the slave-traders of that place having become alarmed at the stringency of the new Brazilian law against Slave Trade, of which I transmitted copies to you in my despatch of the 10th instant, intended to try to continue the importation of slaves under the Sardinian flag.

Her Majesty's Consul adds that the principal trade between Bahia and the coast of Africa has long been carried on by Sardinian vessels, which are freighted by well-known slave-dealers; and he draws from this notorious fact the just inference, that the return cargoes of these Sardinian vessels frequently consist of slaves.

I have to instruct you to make a communication to the above effect to the Sardinian Government, for their serious consideration.

I am, &c.

The Hon. Sir R. Abercromby.

PALMERSTON.

No. 444.—The Hon. Sir R. Abercromby to Viscount Palmerston.

(Received March 27.)

MY LORD,

Turin, March 20, 1851.

WITH reference to the instructions contained in your Lordship's despatch of the 10th instant, I have now the honour to transmit herewith for your information a copy of a note which I have addressed to his Excellency the Chevalier d'Azeglio, urging him to take measures for declaring by Act of Parliament that the crime of trading in slaves shall in future be considered by the Sardinian law as an act of piracy, and be punished accordingly.

I have, &c.

Viscount Palmerston, G.C.B.

RA. ABERCROMBY.

(Inclosure.)—The Hon. Sir R. Abercromby to the Chevalier d'Azeglio.

Turin, March 18, 1851.

THE Undersigned, &c., has the honour to transmit herewith to his Excellency the Chevalier d'Azeglio, &c., 2 printed copies of a law passed by the legislature of Brazil on the 4th of September, 1850,* for establishing fresh measures for the suppression of the traffic of Africans in the empire of Brazil; annexed to which are printed copies of a decree issued on the 14th October, 1850,† for regulating the execution of the said law.

In conveying to the knowledge of his Excellency the Chevalier d'Azeglio, the above-mentioned documents, the Undersigned has

* Vol. XXXIX. Page 1060.

† Vol. XXXIX. Page 1062.

been instructed by Lord Palmerston to point out to the Sardinian Government that the legislature of Brazil has, by this highly important law, enacted that the crime of slave-trading shall be considered as piracy, and be punished by the tribunals of the Empire of Brazil with the pains and penalties declared in Article II of the Law of 7th November, 1831;* and that the attempting and abetting this odious traffic shall be punished according to the rules of Articles XXXIV and XXXV of the Criminal Code.

The Undersigned has been directed to urge upon the Government of His Sardinian Majesty the great advantage to the cause of humanity that would result from their following the example of Brazil, and taking serious and immediate steps for enacting a law declaring that such Sardinian subjects as shall be concerned in the Traffic of Slaves, shall be deemed and dealt with as pirates, and shall on conviction be liable to suffer a severe secondary punishment.

The Imperial Government of Brazil have promulgated certain regulations to render more easy and effectual the application of the Brazilian laws against the Slave Trade. These regulations will be found annexed to the Act of the Brazilian Legislature inclosed herewith, and the Undersigned requests his Excellency the Chevalier d'Azeglio to consider whether any, or what part of them, could be advantageously adopted in Sardinia.

The Undersigned, when urging upon the Government of His Sardinian Majesty the expediency of declaring that for the future the crime of trafficking in slaves should by the law of Sardinia be stigmatized as piracy, and that it should be punished as such, begs leave to point out to the attention of the Cabinet of Turin that such has long been the state of the law in Great Britain and in the United States of North America, and that this law has worked very effectually, not merely through the fear inspired of the punishment which it awards, but by the moral effect produced on the minds of men by the fact that the law stigmatizes by its true and proper character the disgraceful and infamous practice of stealing and buying men, women, and children for the purpose of consigning them to the miseries of slavery. In support of the correctness of the opinion that, to stigmatize the act of trading in slaves as piracy, and to punish it as such, is productive of the most satisfactory results, the Undersigned cannot adduce a stronger proof than by referring to what Lord John Russell stated on a recent occasion in Parliament, when he declared that by accounts from the British Consulate at Rio Janeiro, it appeared that during the latter half of the year 1850 (that is, from the moment when the Act of the Brazilian Legislature came into operation), the number of slaves landed was 1,108, the number during the last 6 months of 1847

* Vol. XX. Page 165.

1848, and 1849, having on the average exceeded 24,000 for each year, so that last year very little more than the fifth of the average importation of the preceding 3 years took place.

The Government of Her Britannic Majesty cannot for a moment believe that the Sardinian Government can feel less detestation of the atrocious crime in question, than do those of Great Britain, the United States of North America, and of Brazil, or that they can hesitate in giving to the world the same public manifestation of their sentiments on this matter, by promulgating a law similar to those which have been enacted in this respect by Great Britain, The United States, and Brazil.

Her Majesty's Government, when thus earnestly pressing the above request upon the attention of the Cabinet of Turin, specifically disclaim entertaining any belief that the subjects of Sardinia disgrace themselves by taking part in these abominable practices; but they are induced to make it from the desire of having the weight of the moral sanction of the Government of His Sardinian Majesty added to that force of public opinion in the civilized world which has been brought to bear upon the perpetrators of one of the greatest iniquities ever committed by the human race.

The Undersigned, in thus calling the serious attention of the Government of His Sardinian Majesty to the consideration of a question so well worthy of the sympathy and support of the liberal and humane Sovereign of Sardinia, avails, &c.

The Chevalier d'Azeglio.

RA. ABERCROMBY.

SPAIN.

No. 445.—Viscount Palmerston to M. de Isturiz.

SIR,

Foreign Office, July 9, 1850.

I REGRET very much to be under the necessity of calling your attention to the increase which, since the close of the year 1848, has taken place in the number of slaves imported periodically into the Island of Cuba.

You are, doubtless, aware that in the years 1846, 1847, and 1848, a much smaller number of slaves had been imported into Cuba than in previous years. Indeed, in 1848, the number imported was, according to information received by Her Majesty's Government, not more than 1,500, and Her Majesty's Government were, at that time, encouraged to look forward with hope to the total extinction of that criminal traffic in the dominions of Her Catholic Majesty; but since then the trade has unhappily revived, and efforts are now making in Cuba to carry it on with great activity.

According to the best computation that has been made, upwards of 8,000 slaves were landed in Cuba in the year 1849; and Her Majesty's Government have received authentic accounts of the landing of several cargoes of slaves in Cuba during the present year, both from Africa and from Brazil.

The most recent information of which Her Majesty's Government are in possession on this subject states, that one vessel sailed from the Havana in the month of May last on a slave-trading voyage; and that another vessel was being fitted out at the same port for a like purpose; that 500 slaves were landed about the 20th of May at Camarioca, between Cardañas and Matanzas; and that about the same time Her Majesty's ship *Bermuda* captured off the coast of Cuba a vessel under Brazilian colours, with 284 slaves on board, whom she was about to land at the Isle of Pines.

I request that you will have the goodness to bring these facts to the knowledge of your Government, and that you will at the same time express in the strongest terms the anxious and earnest hope of Her Majesty's Government that the Spanish Government will at last take decisive and effectual steps to cause the Captain-General and the other officers of the Spanish Government in Cuba to respect and to fulfil those Treaty engagements by which the Spanish Crown is bound towards the Crown of Great Britain, totally and finally to abolish Slave Trade in all parts of the world, as far as Spain is concerned.

It is now 15 years since the Treaty to which I advert was concluded; during a part of that period of time the Spanish Government has had to contend with domestic embarrassments, which may have prevented it from bestowing upon this matter all the attention which might be necessary in order to enable it scrupulously to fulfil its Treaty engagements, although certainly the British Government cannot charge itself with having neglected, during that period, to bring these matters from time to time, as occasions offered, under the serious notice of the Government of Madrid.

But order is now firmly restored in Spain, and the power and authority of the Spanish Government may be considered as established without dispute. It cannot, therefore, be supposed that proper orders sent on this grave matter from Madrid would not be punctually obeyed in Cuba; and as this is a matter in regard to which not Her Majesty's Government only, but the whole British nation take the deepest interest, I have to beg that you will request your Government to give it that early and serious attention which its extreme importance requires.

I am, &c.

M. de Isturiz.

PALMERSTON.

No. 446.—M. de Isturiz to Viscount Palmerston.

MY LORD, (Translation.) *Spanish Legation, July 11, 1850.*

I HAVE the honour to acknowledge the receipt of the note which your Excellency did me the honour to address to me on the 9th instant, calling my attention to the increase which has taken place during the last year in the importation of slaves into the Island of Cuba, in order that I may bring it under the notice of the Government of the Queen my mistress; and reminding me, for this purpose, of the engagements which Spain has entered into to put an end to Slave Trade.

I propose, without loss of time, to bring the contents of your Excellency's communication to the knowledge of Her Majesty's Government, and I have no doubt that the important subject of that communication will engage their serious attention.

In the meantime, before transmitting to your Excellency the answer that I may receive, permit me to express my satisfaction at observing that Her Britannic Majesty's Government acknowledges that the internal embarrassments with which the Government of my August Sovereign has had to contend up to the present time, have been the cause of their not having devoted to this interesting question the attention which it requires. I avail, &c.

Viscount Palmerston, G.C.B.

XAVIER DE ISTURIZ.

No. 447.—M. de Isturiz to Viscount Palmerston.

MY LORD, (Translation.) *Spanish Legation, August 9, 1850.*

ON the 11th July last, I had the honour to acknowledge the receipt of your Lordship's note of the 9th of the same month, relative to cases of fresh importations of negroes into the Island of Cuba, and to inform you that I would forward it without loss of time to the Government of the Queen, my mistress.

Now that I have received their orders, I have the satisfaction of being able to assure your Excellency that Her Majesty's Government has given directions to the Captain-General of Cuba to make inquiries immediately into the cases mentioned by your Excellency in your note above alluded to, warning him further, that he must be strictly responsible for taking the severest measures to put an end to the Slave Trade promptly and radically, because such is the wish of Her Majesty, and because her Government are firmly resolved to carry out their Treaties, without evasion or dissimulation of any kind.

Moreover, that no means of attaining this object may be omitted, the Government has also arranged that the Commission which has gone to the Island of Cuba to inquire into different points relative to the better defence and administration of those provinces, shall extend its investigations and inquiries to the most efficacious

measures to be taken for extinguishing the Slave Trade, making itself acquainted with the means that the slave-dealers have hitherto employed to elude the execution of the law in this respect.

However, at the same time that I have the pleasure of proving to your Excellency that the Spanish Government is possessed with these sentiments of justice, and animated by a lively desire to remove all cause of difference in its relations within that of Her Britannic Majesty, I cannot refrain from expressing here the surprise which your Excellency's note has occasioned it, when considering that precisely during the period to which your Excellency alludes, when, from the existing state of diplomatic relations, it could not be supposed that the Government of Her Catholic Majesty was actuated by any other motive than a feeling of its own duty, it issued the most peremptory and positive orders to the authorities of Cuba to prevent any disembarkation of slaves, and to observe the Treaties scrupulously, having had the satisfaction that their fulfilment produced, amongst other good results, the testimony of English functionaries in the island, expressed in the name of Her Britannic Majesty to the Conde de Alcoy, the Captain-General, on different occasions and in different cases, some of which, even at the risk of appearing tedious, your Excellency must permit me to mention.

1st. On the 30th of July, 1849, the English Acting Consul-General at the Havana, writing to the Captain-General upon the result of a claim which he had laid before him, asking for the removal of the negress Monica to Jamaica, said "Her Britannic Majesty's Government does not wish to enforce what it considers to be its right in this respect, while your Excellency continues in the noble conduct which you have hitherto pursued with regard to Slave Trade, and while your Excellency perseveres by every means in your power in causing the engagements to which the Spanish Crown is bound by Treaty to be faithfully fulfilled, and those laws which the Spanish Government has made in consequence of such engagements, to be impartially executed."

2ndly. At the end of February, 1849, without any denunciation having been previously made by the English Consul, 85 newly-imported Bozal negroes were seized at Cabañas. The necessary inquiry being made into this occurrence, it appeared that the commander of the battery of the port of Cabañas and the infantry captain at the same place had shown some carelessness or want of zeal, and immediately these two officers were removed by the Captain-General. These circumstances having been communicated to the English Consulate, and through it to the English Government, the Consul informed the Conde de Alcoy, under date of the 2nd August, 1849, that he had received instructions to make known

to him "how satisfactory it had been to Her Britannic Majesty's Government that these subaltern officers had been removed; and that that Government hoped that these proofs of the determination of the Conde de Alcoy would cause the Treaty obligations of the Spanish Crown to be respected, and serve as an example," &c.

3rdly. On the 4th December, 1849, the English Acting Consul-General denounced a disembarkation of Bozal negroes in the neighbourhood of Cardañas. Notwithstanding that this denunciation was couched in vague terms the Captain-General used the utmost diligence, and succeeded in seizing 174 Bozal negroes.

4thly. On the 31st of January of the present year, the Captain-General having acceded to the request of the English Acting Consul-General, that the negress Tomasa, who had received her certificate of freedom, should be allowed to remain in the island, Mr. Kennedy wrote to the Conde de Alcoy, "I am equally obliged to your Excellency for the consideration which you have shown me in the different cases which I have submitted for your determination."

Lastly, a newspaper having published, during the period of the interruption of diplomatic relations before alluded to (June, 1849), a letter from the Havana, afterwards reprinted in the "Morning Post," in which it was asserted that a disembarkation of 2,000 Bozal negroes had taken place, Her Majesty's Government ordered the Captain-General to make the strictest inquiry into the truth of this denunciation, from which it appeared that it was entirely false.

Taking into consideration these facts, and many preceding ones, it may be said without risk of exaggeration, that the greater part of the denouncements were disproved by an investigation into the facts; nevertheless, in this question, as generally in almost all others of contraband trading, it happens that when a great interest is concerned—and the slave-trading interest is of immense magnitude—not all the endeavours of the Spanish authorities on land, nor all the untiring vigilance of the English cruizers by sea, are able to prevent the infraction of the law.

I conclude by repeating that Her Majesty's Government, as soon as it was made acquainted with your Excellency's note to which I have the honour to reply, hastened to issue to the authorities of Cuba the most positive orders for the full and scrupulous observance of the Treaties of 1817 and 1835.

I seize, &c.

Viscount Palmerston, G.C.B.

XAVIER DE ISTURIZ.

No. 448.—Viscount Palmerston to M. de Isturiz.

Foreign Office, August 31, 1850.

THE Undersigned, &c., has the honour to inform M. Isturiz, &c.,

that he has recently received from Mr. Kennedy, Her Majesty's Acting Consul-General in Cuba, copies of a correspondence which Mr. Kennedy had with the Captain-General in the month of June last, in which Mr. Kennedy informed the Captain-General that 2 vessels were fitting out in Cuba for Slave Trade, and that another had arrived with a cargo of slaves in the neighbourhood of Cardenas.

In the early part of that correspondence, the Captain-General denied all knowledge of the facts to which Mr. Kennedy had called his Excellency's attention, although the circumstance that the vessel had landed slaves was well known in the island, and even the fact that the Captain-General had received the usual head-money was commonly talked of at the Havana.

On the 22nd of June, however, Mr. Kennedy, having heard that the vessel which brought the slaves had been abandoned by her crew, and had been run on shore near Cardenas, wrote to the Captain-General for information on the subject; and his Excellency then admitted not only that such vessel had been found abandoned, as had been stated by Mr. Kennedy, but also that a landing of slaves had taken place.

His Excellency stated that he had not yet received the particulars of the transaction, but that he had ordered further inquiries to be made into the matter.

On the 23rd of the following month of July, Mr. Kennedy had occasion to report to the Captain-General that another vessel, a schooner, had a fortnight before landed about 360 negroes at or near Cardenas, of which circumstance the Captain-General, in his reply, denied all knowledge.

The Undersigned feels it his duty to make these circumstances known to M. Isturiz, in confirmation of the truth of the statements which he had the honour to bring under the notice of M. Isturiz in his note of the 9th ultimo, as showing that importations of negroes were still continually permitted to take place in the Island of Cuba. It is now the more agreeable office of the Undersigned to acknowledge the receipt of M. Isturiz' note of the 9th instant, in reply to the note of the Undersigned of the 9th ultimo above-mentioned, and to request that M. Isturiz will convey to the Spanish Government the expression of the sincere and warm thanks of Her Majesty's Government for the orders which he states have been sent to the Captain-General of Cuba, and which, if punctually carried into execution and not allowed to be a dead letter, like former orders of the same kind, will no doubt put an end to all further violation of the law and of the Treaty against Slave Trade.

The Undersigned, &c.

M. de Isturiz.

PALMERSTON

No. 450.—Viscount Palmerston to Lord Howden.

MY LORD,

Foreign Office, August 31, 1850.

I TRANSMIT herewith, for your information, copies of despatches, dated the 9th and 25th of June and 25th of July last, from Mr. Kennedy, Her Majesty's Acting Consul-General at the Havana, inclosing copies of a further correspondence which he has had with the Captain-General of Cuba, respecting the continued importations of negroes from Africa into that island, in violation of Spanish law and of the Treaty engagements of Spain towards Great Britain.

These communications tend to show that the Captain-General, according to his own statements, is less well-informed than Her Majesty's Acting Consul-General is, of things that are done and doing in the Island of Cuba. But your Lordship will see by Mr. Kennedy's despatch of the 25th of June, that the Captain-General had at last admitted that a particular vessel which Mr. Kennedy had reported as having landed slaves and having been abandoned by her crew, and run ashore near Cardañas, had in fact been found by the Spanish authorities abandoned as described, and that slaves had been landed from her.

You will also see that, according to the intelligence which Mr. Kennedy had received, the cargo of the slave-vessel was brought on account of the parties of whom Don Juan de Zulueta is the most prominent partner, and that it was currently reported that the Captain-General had taken 3 doubloons, or about 10*l.* a-head, on each slave for the permission to land them.

With reference to this subject, I further transmit to your Lordship, for your information, a copy of a note, dated the 9th instant, which I have received from M. Isturiz, in reply to one which I addressed to that Minister on the 9th ultimo, and of which a copy is also sent to you herewith. Your Lordship will see that M. Isturiz states orders have now been sent to the Captain-General of Cuba, which, if punctually carried into execution, would put an end to all further importations of negroes in violation of the law and of the Treaty engagements of Spain against Slave Trade.

I also transmit to you the copy of a note which I have addressed to M. Isturiz, containing the substance of the communications from Mr. Kennedy, inclosed in this despatch. I have in the same note, as you will see, acknowledged the receipt of M. Isturiz' note of the 9th instant, and have requested him to convey to the Spanish Government the expression of the sincere and warm thanks of Her Majesty's Government for the orders which he states have been sent to the Captain-General of Cuba upon these matters; and I have to instruct your Lordship in communicating to the Spanish Government the substance of the information contained in this despatch, to express the hope of Her Majesty's Government that the orders

thus recently sent to the Government of Cuba will not be allowed to fall into neglect like similar orders repeatedly sent to Cuba on former occasions on the same subject. I am, &c.

Lord Howden.

PALMERSTON.

No. 452.—Viscount Palmerston to Lord Howden.

MY LORD,

Foreign Office, September 17, 1850.

I HAVE to refer your Lordship to a despatch which I have addressed to Mr. Aston, Her Majesty's Minister at Madrid, on the 25th of May, 1840, inclosing the draft of a Convention which he was instructed to propose to the Spanish Government, with a view to put a stop to the abuses which were committed in Cuba by the continued introduction of African negroes into that island.

The purport of the proposed Convention was that the Mixed Court of Justice established at the Havana should be invested with authority to investigate the cases of negroes who were held in slavery in Cuba, and to declare whether such negroes had or had not been imported into that island since the 20th of October, 1820; and whether they ought or ought not to be restored to freedom.

I also refer you to Mr. Aston's despatch of the 13th of June, 1840; to Lord Aberdeen's despatch to Mr. Aston, dated the 19th of February, 1842, transmitting copies of a letter which Lord Aberdeen had received from General Sancho, the Spanish Minister at this Court, and his Lordship's reply thereto.

You will see that for the reasons set forth in that correspondence, Her Majesty's Government, relying upon the efficacy of the orders which had been issued by the Spanish Government for preventing the importation of slaves into Cuba, contrary to the engagements entered into by Spain with Great Britain, declared their intention of not then pressing upon the Government of Spain a Convention for the purpose of examining generally into the condition of the negroes in that island. Her Majesty's Government, however, urged the Spanish Government to institute a strict inquiry into the condition of those negroes in Cuba who had been emancipated by sentence of the Mixed Commission Court, and to keep a careful watch over the liberty of such as might be emancipated thereafter; for inasmuch as Her Majesty's Government are pledged, jointly with the Government of Spain, to secure to every one of those negroes full and entire freedom, they consider themselves bound to use every means in their power for the accomplishment of that end.

During the long interval of more than 8 years which has elapsed since that correspondence took place, it has been the frequent and

painful duty of Her Majesty's Government to remonstrate with the Government of Spain against the continual commission of the same criminal abuses in the Island of Cuba which had suggested the proposed Convention of 1840, and as unfortunately those criminal acts continue still to be practiced, Her Majesty's Government now desire again to invite the Spanish Government to adopt a Convention similar to that which was proposed in 1840; with this alteration, however, that instead of the negroes being simply and immediately set free, they should be registered as emancipados, to be absolutely free at the end of 3 years from the date of the sentence of the court, and that in the meantime they should be instructed in some mode of earning their livelihood when free; that a certificate of the sentence should be given to each negro, but the conclusive proof of his freedom should be the register kept by the court; and that there should be an annual inspection made of each negro so decreed to be emancipated.

I have accordingly to instruct your Lordship to propose to the Government of Her Catholic Majesty the adoption of a Convention to this effect.

The papers referred to in this despatch are, of course, preserved in manuscript among the archives of Her Majesty's Mission at Madrid; but they will also be found in print in the papers on Slave Trade, Class B, Nos. 2 and 7, which were presented to Parliament in 1841, and Nos. 2, 3, and 4, which were presented to Parliament in 1843, and which were transmitted in due course to Her Majesty's Minister at Madrid. But in case these papers should not at the present moment be easily accessible to your Lordship, I send herewith other copies of them for your greater convenience.

I send also a draft of the Convention which you are now instructed to propose to the Spanish Government.

I am, &c.

Lord Howden.

PALMERSTON.

(Inclosure.)—Draft of Slave Trade Convention between Great Britain and Spain.

No. 454.—*Lord Howden to Viscount Palmerston.*—(Rec. October 15.)
 MY LORD, *Madrid, October 8, 1850.*

As your Lordship was probably anxious about the immediate presentation of a draft of Convention to the Spanish Government regarding the manumission of slaves unlawfully imported into Cuba, and as there appeared to me a favourable opening, I lost no time in submitting it to the Marquis de Pidal; and I have the honour of

inclosing herewith the note that accompanied it, which I hope will meet your Lordship's approval. I have, &c.

Viscount Palmerston, G.C.B.

HOWDEN.

(Inclosure.)—Lord Howden to the Marquis of Pidal.

SIR,

Madrid, October 6, 1850.

It is my most pleasing duty to express to the Spanish Government the sincere and warm thanks of the Government I represent for the orders which Senor Isturitz states have been sent to the Captain-General of Cuba, for the more effectual repression of the Slave Trade in that island; and Her Majesty's Government, in acknowledging the great satisfaction they have received at this intelligence, confidently trust that these orders will not be allowed to fall into neglect, like similar ones repeatedly sent to Cuba on the same subject.

From so gratifying a proof of the humane feelings which are actuating the Spanish Government, of their loyal determination to execute their Treaties with other nations, and of their anxiety to adopt whatever means are necessary to raise their own reputation for honour and consistency, and to put an end to a revolting traffic, I may fairly assume that they will not object to make common cause with England in a new attempt to attain more effectually the object which they both have at heart, by instituting a means of stricter inquiry into the condition of those negroes in Cuba who are free by law. Her Majesty's Government are pledged, in common with the Government of Spain, to secure to every one of these negroes not only freedom but security, and therefore consider themselves bound to use every means in their power for the accomplishment of that end, as well as to propose those means to the Government of Spain for its concurrence and support.

I therefore have the honour to transmit to your Excellency the draft of a Convention drawn up in London; and I am instructed to invite the Spanish Government to execute it, for the laudable purpose of following up the honourable determination so happily manifested by its late acts. This Convention, so consistent with the dignity and power of a great nation, like Spain, determined to carry out its resolves, is in substance the same as one proposed by Mr. Aston in the year 1840, with one very material difference, which must greatly aid its adoption, and which defeats all the practical objections that might be brought against the working of the former one. Instead of the negroes being simply and immediately set free, it is proposed that they should be registered as "emancipados," to be made absolutely free at the end of 3 years from the date of the sentence of the court.

I earnestly entreat your Excellency to take this subject into consideration, and to give me an answer whenever you have ascertained the feelings of the Spanish Government regarding it.

After the most mature reflection, and, I may truly add, with the most sedulous anxiety for the greatness and happiness of the country where I reside, I cannot find any reason which can be urged against the execution of such a document. The honour, the pride, even the well-understood interest of Spain, demand a cessation of all abuses committed, certainly not with her sanction, but certainly under her name; and I therefore allow myself to hope that she will see an act like this in its true light, and as a proof of the respect and friendship of England in desiring to be admitted to so honourable a partnership in so righteous a cause.

I shall be glad to be permitted by your Excellency to examine at any time any objections that may arise, or any difficulties that may seem to present themselves; and I beg your Excellency to believe that I shall be always ready to facilitate a measure so much desired by my Government and by myself.

I avail, &c.

H.E. The Marquis of Pidal.

HOWDEN.

No. 455.—Viscount Palmerston to Lord Howden.

MY LORD,

Foreign Office, October 23, 1850.

I HAVE received and laid before the Queen your despatch of the 8th instant, inclosing a copy of a note which you addressed on the 6th instant to the Marquis of Pidal, in which you submitted for the consideration of the Spanish Government the draft of a Convention for conferring on the Mixed Court of Justice at the Havana power to declare the freedom of negroes imported into Cuba, contrary to law and Treaty; and I have the satisfaction of informing you, that Her Majesty's Government entirely approve of the note in question.

I am, &c.

Lord Howden.

PALMERSTON.

No. 457.—Viscount Palmerston to Lord Howden.

MY LORD,

Foreign Office, November 5, 1850.

I HEREWITH transmit to you copies of 2 despatches from Mr. Kennedy, Her Majesty's Commissary Judge and Acting Consul-General at the Havana; the one inclosing a copy of a correspondence which he had with the Captain-General, relative to the supposed slave-vessels *Semproniana* and *Juanito*; the other containing his report for the month ending the 21st of September last, on the state of Slave Trade in the Island of Cuba.

I have to instruct your Lordship to communicate these papers to

the Spanish Government, and to say that the great demand for slaves which appears to have arisen in Cuba owing to the losses occasioned by the cholera, calls for the exercise of the greatest vigilance on the part of the Captain-General and his subordinates, for the prevention of the illegal trade. I am, &c.

Lord Howden.

PALMERSTON.

No. 459.—Lord Howden to Viscount Palmerston.—(Rec. November 7.)

MY LORD,

Madrid, October 24, 1850.

WITH reference to my despatch of the 8th instant, I have the honour to transmit a copy and translation of the answer which I have received from the Minister of Foreign Affairs on the subject of the Convention which your Lordship instructed me to propose for the enfranchisement, within a certain time, of negroes fraudulently imported into the Havana.

I regret sincerely that the Spanish Government will not accede to this Convention; but the conversations I have had with the Marquis of Pidal on subjects relating to it, gave me very little expectation of its being negotiated.

I answered this note by another short one, a copy of which I have the honour to inclose. I have, &c.

Viscount Palmerston, G.C.B.

HOWDEN.

(Inclosure.)—The Marquis of Pidal to Lord Howden.

MY LORD,

(Translation.)

Madrid, October 19, 1850.

WHEN, in consequence of your Lordship's note of the 6th instant, I examined the antecedents which exist in this office relative to a proposed Convention of inquiry in the Island of Cuba, it could not fail to call my attention to this renewal of a pretension which had been completely abandoned since the year 1842.

In proof of which, I will recall to your Excellency's recollection, that when a Project of Convention, analogous to the one in question, was presented in the year 1841, Don Antonio Gonzalez, at that time Minister for Foreign Affairs, answered Mr. Aston on the 20th of December of the same year, 1841, with such convincing and conclusive arguments, that not only was the latter wholly unable to reply, but when Lord Aberdeen was questioned by General Sancho about this affair, in a conference which took place on the 3rd of January, 1842, Her Britannic Majesty's Minister for Foreign Affairs replied that he had seen the note of the Spanish Government, and appreciating as just its reasons, he would not again insist on this project. This assurance, over and over again repeated on subsequent occasions, and with various motives, persuaded the Spanish Government that Her Britannic Majesty's Government

would think no more of an affair, the discussion of which was conclusively settled in the note of the 20th of December, 1841. But perceiving that such is not the case, and that this project of a Convention of inquiry is again brought forward, I find myself obliged to refer to that document, adding, that if in the year 1841 it was not possible for the Government of Her Majesty to accede to such a proposition, it can still less do so at the present moment, inasmuch as besides the reasons put forward by Don Antonio Gonzalez, there is a special and decisive one in the IXth Article of the Penal Code of the 2nd March, 1845, which says conclusively that in no case and at no time is it permitted to proceed judicially against the proprietors of slaves, nor disturb them in their possession, under the pretext of their precedency. Under these circumstances, I do not see how it is possible to give greater latitude to the attributes of the Mixed Tribunal of the Havana; but, on the contrary, I entertain the hope that when the Slave Trade on the coast of Africa is entirely abolished by the efforts of Her Majesty's Government, we may think of setting on foot negotiations with that of Her Britannic Majesty, for establishing with it, on this point, regulations analogous to those which have taken place with other Powers.

I flatter myself that your Excellency will appreciate in its full force the situation in which the Spanish Government is placed, and recognise the regret it feels in not being able to accede to the wishes of that of Her Britannic Majesty.

I have, &c.

Lord Howden.

PEDRO J. PIDAL.

No. 460.—Lord Howden to Viscount Palmerston.—(Rec. November 7.)

MY LORD,

Madrid, October 24, 1850.

IN obedience to your Lordship's orders I informed the Marquis of Pidal, that it had come to the knowledge of the Government of Her Britannic Majesty that the Captain-General of Cuba and his Secretary had each received a certain sum of money to secure the landing of a cargo of negroes on that island.

I have the honour to transmit herewith the answer to that charge. In making it, I foresaw clearly that it would be indignantly denied, and that, as long as proofs could not be adduced, it would be considered as unjustly preferred and victoriously refuted.

I have, &c.

Viscount Palmerston, G.C.B.

HOWDEN.

(Inclosure.)—The Marquis of Pidal to Lord Howden.

MY LORD,

(Translation.)

Madrid, October 19, 1850.

I HAVE received the note which you have been pleased to address to me under date of the 7th instant, denouncing a disembarkation of

600 negroes in the neighbourhood of Cardañas. Not being in possession of any antecedents with regard to this matter, I have written for information to the superior authorities of the island of Cuba; and I have no doubt that upon its receipt, I shall be enabled to give a satisfactory answer to your note, as I cannot bring myself to think it possible that the most grave accusation made against the person of General Roncali can be well founded.

In the meantime it would be highly expedient that either you, my Lord, or your Government, would have the kindness to communicate to me the proofs on which this personal accusation is based, and Her Majesty's Government would take them into consideration, with the view of dictating in proper season the ulterior measures claimed by the gravity of the case, or in order to make clear the insufficiency of the data on which it is founded.

I have, &c.

Lord Howden.

PEDRO J. PIDAL.

No. 465.—*M. de Isturiz to Viscount Palmerston.*—(Rec. December 18.)
MY LORD, (Translation.) *Spanish Legation, December 14, 1850.*

I HAVE received your Excellency's note of the 11th instant, in which, with reference to your former note of the 9th July last, you inform me that the Brazilian brig *Clementina*, captured by Her Britannic Majesty's schooner *Bermuda*, on the coast of Cuba, with a cargo of 284 slaves, about to land on the Island of Pines, had been condemned by the Vice-Admiralty Court in Jamaica.

I am also informed by your Excellency that from what has been stated by the master and crew of the *Clementina* to the captain of the *Bermuda*, it results that another Brazilian vessel, of greater burden and well-armed, called the *Brazil*, had sailed from the same port, and almost at the same time, with 600 slaves, who were landed at Cardañas (Cuba) on the 18th May, the day preceding the attack of the pirate Lopez at that point; which statement, your Excellency adds, corroborates the information before communicated by Her Britannic Majesty's Consul-General at Havana, and in virtue of all this, your Excellency wishes me to bring these circumstances to the knowledge of the Government of the Queen, my mistress, as a proof that the Treaties and laws are openly and notoriously violated by the Spanish authorities in Cuba, observing at the same time that Her Britannic Majesty's Government must request the Government of Madrid to consider whether it be not reasonable to suppose that the practice of this systematic violation of Treaties and laws could not be continued if the guilty parties did not feel confident in being able to rely upon a powerful protection in Madrid, which would shelter them from the punishment due to their crimes.

I have the honour to remind your Excellency, in reply to this communication, that in my note of the 9th August last, I stated that Her Majesty's Government had ordered the Captain-General of Cuba to transmit immediate information respecting those cases which now constitute the present reclamation; moreover, directing him under the strictest responsibility to take the most severe measures to put a speedy and radical termination to the traffic in slaves, both because it is the wish of Her Majesty, and because the Government is firmly resolved that the Treaties shall be fulfilled without evasion or reservation of any kind.

This assurance, which I gave then to your Excellency, in the name of the Government of Her Catholic Majesty, I now repeat, waiting the arrival of the information required of the Captain-General of Cuba, which may confirm or explain the statement made by Her Britannic Majesty's Consul at Havana. And although this appears to be corroborated by the declaration of the master of the *Clementina* slaver, I may be permitted to doubt the respectability of such a testimony.

I regret to have to notice the closing paragraph of the note of your Excellency to which I am replying, but I consider it my duty to repel even the suspicion that persons guilty of a violation of Treaties, might remain unpunished by the shelter of any protection, however powerful it might be.

It is the wish of Her Catholic Majesty's Government that the Treaties of 1817 and 1835 be fulfilled, and if it were otherwise it would declare the same to the Government of Her Britannic Majesty, frankly and without concealment.

I profit, &c.

Viscount Palmerston, G.C.B.

XAVIER DE ISTURIZ.

No. 471.—Viscount Palmerston to Lord Howden.

MY LORD,

Foreign Office, March 17, 1851.

I TRANSMIT to your Lordship herewith, for your information, a copy of the annual report of Her Majesty's Commissary Judge at the Havana, on the Slave Trade of Cuba in the year 1850, together with copies of the several returns referred to therein.

Amongst other suggestions as to the means which appear indispensable for suppressing the Slave Trade in Cuba, Mr. Kennedy in his report adverts to a proposal which I instructed Her Majesty's Minister at Madrid to make to the Spanish Government so long ago as the year 1838, to the effect that power should be given to the Mixed Commission Court established at the Havana, to summon before it all persons engaged or interested in any vessels suspected of being intended for Slave Trade, or that should be reported to have arrived with slaves.

This proposal was made to the Spanish Government in a note addressed to the Duke de Frias by Sir George Villiers, on the 14th of November, 1838; and it was therein stated, as the reason for proposing such a measure, that there could be no hope that the importation of slaves into Cuba would be stopped until an entire change was effected in the course then taken for the examination of Slave Trade transactions, experience having shown that however positive might have been the orders issued by the Government at Madrid, the local authorities in Cuba had not conducted investigations of that nature faithfully and truly.

It does not appear that this proposal was ever answered, and it seems to have been allowed to drop; but after a lapse of more than 12 years the same state of things still exists in Cuba as that which originally led to the proposal being made; and consequently the necessity for such a measure is now felt by Her Majesty's Government with increased force.

I have therefore to instruct your Lordship to present a note to M. Bertran de Lys, specifically renewing the proposal that power should be given to the Mixed Commission Court at the Havana, to call before it parties suspected of being engaged in the Slave Trade, and to subject them to the same course of examination which ought to be carried on by the administrative officers of the Colonial Government, but which is now, as heretofore, wholly evaded and omitted by these functionaries.

Your Lordship will press this matter upon the earnest consideration of the Spanish Government, and acquaint me with the result of your representations.

I am, &c.

Lord Howden.

PALMERSTON.

No. 474.—Viscount Palmerston to Lord Howden.

MY LORD,

Foreign Office, March 27, 1851.

HER Majesty's Government have learnt that the Captain-General of Cuba has appointed a Commission to take charge of the class of persons in Cuba denominated "emancipados," and that the Commission is composed of the Conde de Canongo and 3 wealthy residents at the Havana, the Señores Roca, Uzzaingui, and Aguirre. To the appointment of the Conde de Canongo to this duty, Her Majesty's Government have nothing to object; but the nomination of the other 3 persons does not lead Her Majesty's Government to expect that the alleged object of the Commission, namely, "the ulterior benefit of the emancipados," is likely to be attained; for Señor Roca is known to Her Majesty's Government to be nephew of Don Joaquim Gomez, a person who may not improperly be termed the head of the slave-trading interest at the Havana, and is connected with Don Gomez in business. Señor Uzzaingui is known to be an

intimate friend of Don Joaquim Gomez; and Señor Aguirre has been largely engaged in the Slave Trade, and has gained the bulk of his fortune by that infamous traffic.

I have accordingly to instruct your Lordship to call the attention of the Spanish Government to the very objectionable composition of this Commission, and to request that instructions may be issued to the Captain-General to cancel the appointment of Señores Roca, Uzzaingui, and Aguirre, and to put in their room persons of known probity, and whose feelings of humanity have not been blunted either by their having themselves been engaged in Slave Trade, or by their having habitually associated with persons who have been employed in that degrading and demoralising pursuit.

I am, &c.

Lord Howden.

PALMERSTON.

'No. 475.—Viscount Palmerston to M. de Isturiz.

SIR,

Foreign Office, March 27, 1851.

I HAVE the honour to inform you that Her Majesty's Government have learnt that the Captain-General of Cuba has appointed a Commission to take charge of the class of persons in Cuba denominated "emancipados," and the Commission is composed of the Conde de Canongo, and 3 wealthy residents at Havana, the Señores Roca, Uzzaingui, and Aguirre. To the appointment of the Conde de Canongo to this duty Her Majesty's Government have nothing to object; but the nomination of the other 3 persons does not lead Her Majesty's Government to expect that the professed object of the Commission, namely, "the ulterior benefit of the emancipados," is likely to be attained; for Señor Roca is known to Her Majesty's Government to be nephew of Don Joaquim Gomez, a person who may not improperly be called the head of the slave-trading interest at the Havana, and to be connected with Don J. Gomez in business. Señor Uzzaingui is known to be an intimate friend of Don Joaquim Gomez; and Señor Aguirre has been largely engaged in Slave Trade, and has gained the bulk of his fortune by that infamous traffic.

I have accordingly instructed Her Majesty's Minister at Madrid to call the attention of the Spanish Government to the very objectionable composition of this Commission, and to request that instructions may be issued to the Captain-General to cancel the appointment of Señores Roca, Uzzaingui, and Aguirre, and to put in their room persons of known probity, whose feelings of humanity have not been blunted, either by their having themselves been engaged in Slave Trade, or by their having habitually associated with persons who have been guilty of that degrading and demoralizing pursuit.

I trust that you will use your influence with your Government,

in support of the request which will be accordingly submitted to the Government of Her Catholic Majesty by Lord Howden.

I am, &c.

M. de Isturiz.

PALMERSTON.

SPAIN (HAVANA).

CONSULAR.

*No. 479.—Acting Consul-General Kennedy to Viscount Palmerston.
(Received May 22.)*

MY LORD,

Havana, April 20, 1850.

I HAD the honour in my previous despatch dated 26th March ultimo, to acknowledge the receipt of your Lordship's instructions dated the 9th February, to take measures for causing the material substance of the Act 6 and 7 Vict., cap. 98, with the circular sent by your Lordship on the 31st December, 1843, to be published in some influential journal at the Havana; and further to take all suitable opportunities of drawing the attention of the British slaveholders to the tenor and purport of those documents.

On receiving these instructions I proceeded at once to communicate with the managers of the public papers for the insertion of the notice; but was informed that whereas no article of any character whatever could be received without being first subjected to the public censor for a sanction, for an article of this nature, the censor even had no power to permit it, and that it would be therefore necessary to obtain permission from the Captain-General himself.

Believing that the object in view was merely to call the attention of British subjects generally, and of those who hold slaves in this place particularly, to the penalties imposed by the Act referred to, I thought that the best way of obtaining the Captain-General's sanction to the publication of the notice, was by calling on him at a time when I could speak to him leisurely on the matter, and explain that it had reference to British subjects only. His Excellency was not aware before, that British subjects were forbidden to hold slaves, and observed that it was "a consistent law," seeming to be much struck with it. He, however, declared that he did not think he could possibly consent to such a publication. Hereupon I took on myself to propose that the advertisement should be in English, and that it should be worded in a manner to avoid any allusion to the institution of slavery, if that would overcome his Excellency's objections. To this he replied, that he would not give an immediate answer; but that if I would send him an official letter, he would

meet the object if he could. This I accordingly did the following day, the 11th instant, but I regret to say ineffectually, as his Excellency in his letter of this date refuses the permission.

Under these circumstances, I hope your Lordship will approve of my having placed in the Consulate, in a prominent position, the notice, of which I inclose a copy, and the which in my judgment will be more efficacious than any advertisement in the papers, inasmuch as that could be of only temporary effect, whereas this notice being seen by all persons coming to this Consulate and Post-Office Department, and made the subject of constant reference, will be more permanently under observation.

Had the advertisement been allowed to be inserted, as I proposed, in English, and without specifying the objects, I considered that the novelty would have excited greater attention than otherwise, and the object would be fully answered. I trust, however, that there will be sufficient publicity given by the plan adopted, especially as I will take every opportunity of referring to the notice where I think it required.

I am glad to have to add, that I am not aware of any other British subjects holding slaves in this place, than those mentioned in Mr. Crawford's despatch of the 31st December, 1848; and of those persons therein named with whom I have any acquaintance, the slaves had been bought or had come into their possession by marriage, or other act of law, before the year 1843.

I have, &c.

Viscount Palmerston, G.C.B.

J. KENNEDY.

(Inclosure 1.)—*Acting Consul-General Kennedy to the Captain-General.*
 MOST EXCELLENT SIR, *Havana, April 12, 1850.*

I HAVE received instructions from Her Britannic Majesty's Government, to insert in one of the public papers of this city an abstract of the Act of Parliament passed in 1843 (6 and 7 Vict., cap. 98), as a notice to British subjects resident in this island, reminding them of the penalties therein imposed, on their buying or selling slaves in any part of the world, except in cases specified.

HAVING learned that such public notice cannot be inserted in the papers without your Excellency's permission, I now submit to your Excellency a copy of the notice, which I request your permission to have inserted in the "Gaceta" or "Diario."

As the notice merely affects British subjects, I propose to have it inserted in English, and I trust the terms in which I have expressed it, will remove any objections your Excellency might otherwise have to its publication.

I have, &c.

H.E. The Captain-General.

J. KENNEDY.

(*Inclosure 2.*)—*Notice to British Subjects.*

Havana, April 10, 1850.

To Her Majesty's subjects in this island.

I AM ordered by the Government of Her Britannic Majesty specially to call the attention of all Her Majesty's subjects to the penalties declared by the Act of Parliament of 1843 (6 and 7 Vict., cap. 98) against the offences specified therein. A copy of this Act may be seen at my office, where full particulars will be explained to parties interested requiring them; for this purpose I invite Her Majesty's subjects accordingly to call and learn the same at their convenience.

J. KENNEDY.

(*Inclosure 3.*)—*The Captain-General to Acting Consul-General Kennedy.*

SIR, (Translation.) Havana, April 20, 1850.

I HAVE received your letter of the 12th instant, requesting permission to insert an announcement in the Government official Gazette, for the purpose of reminding Her Britannic Majesty's subjects, as you state, of the Act of the English Parliament respecting the punishment enacted in it against those that buy and sell negroes; and in answer I say to you, in accordance with the corresponding legal advice, it is not in my power to accede to your request, on account of its being forbidden by the laws that govern this country.

God preserve you many years.

EL CONDE DE ALCOY.

(*Inclosure 4.*)—*Notice issued by Acting Consul-General Kennedy.*

Havana, April 20, 1850.

To all subjects of Her Britannic Majesty resident in this island.

I AM directed by Her Majesty's Government again to call the attention of Her Majesty's subjects resident in Cuba, to the penalties established by the Act 6 and 7 Vict., cap. 98, intituled "An Act for the more effectual Suppression of the Slave Trade," by which all British subjects, whether within the dominions of the British Crown, or in any foreign country, are forbidden to deal, trade in, purchase, sell, barter, or transfer a slave or slaves, excepting in the cases where by the Act special exceptions are made.

I call the attention of all Her Majesty's subjects accordingly to the Act, a copy of which is placed for general reference on the public table of the Consulate.

J. KENNEDY.

No. 491.—*Consul-General Crawford to Viscount Palmerston.*

(Received January 23, 1851.)

MY LORD,

Havana, December 24, 1850.

THE Captain-General, Don José de la Concha, having appointed a Commission to report to his Excellency upon certain matters and things in the condition of the class known here as emancipados, and as the public notice of the nomination of that Commission is wholly inexplicit; and, moreover, as the parties named as Commissioners are some of them exceptionable in our estimation, because of their connexion with notorious advocates of slavery; I deemed it my duty, in accordance with Her Majesty's Commissary Judge, Mr. Kennedy, to address the Captain-General upon the subject, with a view to our obtaining his Excellency's intentions respecting those of the emancipados who were captured by British cruisers.

Accordingly, on the 10th instant, I took occasion to embody, in a letter of which I have the honour of laying before your Lordship the inclosed copy, the sentiments of Her Majesty's Government, and the deep interest they feel in the fate of those unfortunate people, who have been so long kept without the blessing of freedom, which, under the promises held out by Don Geronimo Valdes, and accepted by Her Majesty's Government, they ought to have received.

I have not yet received an answer from the Captain-General, but your Lordship will observe, by the inclosed copy and translation of a note which I received, and a copy of which I immediately sent to Mr. Kennedy, that his Excellency has given free papers to 4 of these emancipados, and we must accept this in the meantime as an earnest of his good intentions.

I have, &c.

Viscount Palmerston, G.C.B.

JOS. T. CRAWFORD.

(Inclosure 1.)—*Consul-General Crawford to the Captain-General.*

MOST EXCELLENT SIR,

Havana, December 10, 1850.

A NOTICE appeared in the "Gaceta," a few days ago, to the effect that your Excellency has been pleased to create a Commission for the purpose of ascertaining the condition of a class of persons known in this island as emancipados. And as there are comprehended in that class a considerable number who were captured by British cruisers and declared emancipated by the Mixed Court established here under the existing Treaties for the suppression of the Slave Trade; Her Majesty's Government has never failed to assert the right of requiring freedom for those negroes, in virtue of Article VII of the 3rd Annex to the Treaty of 1817.

In the year 1842, Her Majesty's Government, confiding in the honour and good faith of the Government of Spain, and desirous of

consulting the convenience of the Colonial Government of Her Catholic Majesty, did not resist a proposal which was made at the suggestion of the Captain-General of Cuba, to the effect that the freedom of the emancipados should take place gradually, so that in 5 years from the 1st of January, 1841, all the emancipados in the Island of Cuba should obtain their freedom.

So far, however, from the promised freedom having been obtained by the whole number of the emancipados within the specified term of 5 years (which time expired now nearly 5 years ago), there are still some hundreds of these unfortunate people unjustly retained in bondage.

His Excellency the Captain-General Valdes went on fairly and gradually, carrying into effect the stipulation to which I have referred, and in his time about 1,500 emancipados received their freedom.

Since then General O'Donnel and the late Captain-General Conde de Alcoy restricted that boon. Many emancipados having completed their periods of probation, instead of having received their free papers, have, there is reason to apprehend, been assigned to other masters, in defiance of their just rights and in violation of the good faith which ought to have been observed under the arrangement proposed by the Colonial Government of Her Catholic Majesty, to which I have alluded.

Having thus done myself the honour of stating to your Excellency the opinion of Her Majesty's Government upon this important subject; I request that your Excellency will do me the favour of informing me how and in what way the class of emancipados, with regard to whom Her Majesty's Government is so deeply interested, will be affected by the Commission which has been appointed by your Excellency.

The ascertaining their numbers and circumstances would be most desirable, and a necessary preliminary towards their absolute freedom, which ought no longer to be withheld. And as your Excellency will afterwards determine whether as free they are to be allowed to remain in the island or not.

If your Excellency should decide upon their being sent away, Her Majesty's Commissioner, Mr. Kennedy, will provide for their transport forth of the island as soon as possible after such determination is made known.

Some of the emancipados of the class captured by British cruisers are known to have received their free papers, and to have been permitted by the late Captain-General to remain in the island; but how many, is not known to Mr. Kennedy, Her Majesty's Commissary Judge, because he has no account of their numbers. A great many, however, are still unjustly retained in servitude, and

it will be most gratifying to your Excellency to confer upon them the blessing of an absolute freedom to which they are entitled.

I have, &c.

H.E. The Captain-General.

JOS. T. CRAWFORD.

No. 497.—Consul-General Crawford to Viscount Palmerston.

(Received February 26.)

MY LORD,

Havana, January 21, 1851.

WITH reference to my despatch of the 24th ultimo and its inclosure, I have now the honour of laying before your Lordship, copy and translation of the Captain-General's answer to my communication respecting the emancipados, and especially those of that class who were captured by British cruisers.

His Excellency has refused to give any answer to the questions which Mr. Kennedy and myself considered it our duty to propose, upon seeing the public notice of a commission authorized to deal with that much abused class; and having in his reply designated my letter to him of the 10th of December as improper, I thought it necessary to disavow any intention of offending his Excellency, or of interfering with his authority, but at the same time explaining that in a matter in which Her Majesty's Government has a right to be informed, I hoped that his Excellency would enable me to be explicit.

I have not since been favoured with any reply, but his Excellency has resumed the delivering of a few emancipados for transmission by our steamers to Jamaica; 4 were sent last month, and 7 are placed at our disposition to be sent by the *Conway* the day after to-morrow.

I have, &c.

Viscount Palmerston, G.C.B.

JOS. T. CRAWFORD.

(Inclosure 1.)—The Captain-General to Consul-General Crawford.

(Translation.)

Havana, January 1, 1851.

I HAVE received your Honour's communication of the 10th of the past month, in which, referring to the notice published in the *Gazette*, that a Commission had been created for the purpose of bettering the condition of the emancipados, your Honour makes various observations thereon, and asks to be informed how and in what manner the class of emancipados mentioned will be attended to.

When that measure, far from signifying any want of compliance with the Treaties which your Honour invokes, implies on the contrary my respect of the same, as is sufficiently expressed by the form of the announcement, your Honour's communication has the character of an advertance or advice, which necessarily makes me consider it as improper in its form and spirit.

Therefore I feel myself in the position not to give to your Honour the explanation you ask me for, and to notify to you, that if I indeed seek the fulfilment of the Treaties, upon the observance of which the good harmony which reigns between Her Britannic Majesty's Government and that of my august Sovereign is principally based, I know also how to show myself careful (*celoso*) of the rights and consideration appertaining to me as the superior authority of Her Catholic Majesty in this island.

God preserve you many years.

J. T. Crawford, Esq.

JOSE DE LA CONCHA.

(*Inclosure 2.*)—*Consul-General Crawford to the Captain-General.*

MOST EXCELLENT SIR,

Havana, January 2, 1851.

I HAVE received your Excellency's note of yesterday's date, in answer to a communication which I considered it my duty to address to your Excellency on the 10th ultimo, respecting the emancipados; I regret exceedingly that the spirit in which that communication to your Excellency was written should have been misunderstood.

A deep interest in the fate of these poor people has been expressed upon all occasions by Her Majesty's Government, and in addressing your Excellency in consequence of the notice published in the Gazette, relative to a measure which might affect their condition, I did so in the hope that there would be no inconvenience in your Excellency's informing me how and in what way those emancipados who were captured by British cruisers, for whom Her Majesty's Government are interested, would be affected by the Commission appointed by your Excellency.

I disclaim all intention of in any way interfering with your Excellency's administration; but in a matter in which Her Majesty's Government has a right to be informed, I hope that your Excellency will be pleased to enable me to be explicit.

God preserve your Excellency many years.

H.E. The Captain-General.

JOS. T. CRAWFORD.

TRIPOLI.

No. 522.—Consul-General Crowe to Visct. Palmerston.—(Rec. May 25.)

MY LORD,

Tripoli, March 26, 1850.

UPON the receipt of your Lordship's despatch of the 7th January last and its inclosures, relative to the case of Hadji Mahomet Boballa, a French subject at Bengazi, accused of slave-dealing, I

immediately transmitted to Vice-Consul Herman, a copy of General de Lahitte's letter, for such observations as he might have to offer thereupon.

I have now the honour to inclose herewith, a copy of Colonel Herman's reply, together with certified extracts from the books of the Custom-House at Bengazi, which establish, beyond all question, the fact, that in the year 1848 Hadji Mahomet Boballa did send several slaves to Constantinople; a fact, which, though strenuously denied by M. de Bourville, the French Vice-Consul, he might have ascertained by inspection of the registers, in which the transactions were duly entered.

I inclose also a translated extract from a note addressed to me by his Excellency the Governor-General, relative to a report received by him from the Caimakam of Bengazi, stating that he had examined the register in the presence of the British Vice-Consul, and had directed that certified copies of the entries relative to the shipment of slaves by Hadji Mahomet Boballa, should be given to Colonel Herman.

Under these circumstances, it is perhaps scarcely necessary to notice the extraordinary means resorted to by the French authorities in defence of the accused party. Their attempt to throw suspicion and discredit on the testimony of the Reis Zautouti, has signally failed. The perfect truth of his statement is proved by official documents, which clearly substantiate the charge against Boballa, independently of Zautouti's testimony; to which I should not have adverted, but for the serious imputation conveyed in that passage of the letter of the Minister of Foreign Affairs of France, wherein it is alleged "that it appears, in fact, that the Reis Zautouti was instigated to the proceeding (the accusation of Boballa) by two persons interested therein."

No grounds for such an assertion being stated, the persons alluded to not being designated, nor their alleged interest in the matter specified, I am unable to do more than submit the subject to your Lordship's notice.

I have, &c.

Viscount Palmerston, G.C.B.

G. W. CROWE.

(*Inclosure 1.*)—*Colonel Herman to Consul-General Crowe.*

SIR,

Bengazi, March 4, 1850.

I HAVE the honour to acknowledge the receipt of your despatch of the 4th ultimo, transmitting a copy of the correspondence of the French Minister of Foreign Affairs with Her Majesty's Ambassador at Paris, on the subject of the slave-dealings of the Algerian Hadji Mahomet Boballa, which I reported to you in my despatch of the 7th May last.

To the allegations advanced in the correspondence in question, I

shall simply oppose the antagonism of facts, based upon the incontrovertible evidence of official data.

Accordingly, I have now the honour to transmit to you two extracts from the Custom-House books of this place. The first records that, the years of the Hegira 1263 and 1264 (A.D. 1847 and 1848), 7 slaves were shipped to Constantinople by the Hadji Mahomet Boballa. The second that, in the year 1264 (A.D. 1848), 2 others belonging to the same individual were sent to Constantinople, under the care of Mahomed Sabli; and lastly, that another was sold by him to Hadji Mahomet Mograbi.

The first document is signed by the late Director of the Customs, and is countersigned by the head Custom-House clerk.

By a personal inspection of the books of that department, his Excellency Akriff Bey, the Governor of the province, in my presence verified the correctness of the extract, and by this day's courier reports the same officially to the Governor-General of Tripoli.

The second document is extracted from a duplicate copy of the Custom-House books, in the possession of the late director, Shemshi Bey, but no corresponding entry, as in the first case, is to be found in the archives of the Custom-House.

The number of slaves embarked, you will observe, corresponds with the extract I sent to you in my report of the 7th of May, which I obtained from Shemshi Bey, the then director of the Customs.

The deposition of the Reis Zautouti, taken on his arrival here some weeks afterwards, was transmitted to you as a subsidiary evidence.

In the presence of such irrefragable proofs, I conceive it to be unnecessary to offer the slightest observation on the eccentric line of defence assumed by the late French Consul-General of Tripoli, and his coadjutor, M. de Bourville. On the animadversion, however, which the French Minister of Foreign Affairs has thought proper to pass on my conduct, for having taken the deposition of an Ottoman subject, without the cognizance of the local authorities, I shall take the liberty of observing:

1st. That the informality (if peradventure informality it were) which the General regrets in me, he indulgently overlooks in M. Blanchet, who in his despatch of 24th June, has laid himself open to precisely the same imputation.

2nd. In April last, when by the orders of Her Majesty's Government I arrested 2 British subjects, on a charge of slave-dealing, if on this question, purely and essentially British in all its properties and relations, M. de Bourville had strictly confined himself within the legitimate sphere of his attributes, instead of displaying a spirit of partisanship incompatible with his functions, and unbecoming the

character of the Consular Representative of a great and friendly Power, there would have arisen in Bengazi no cause to interrupt the harmony that ought, and which I hope will continue, to exist between Great Britain and France.

I have, &c.

G. W. Crowe, Esq.

G. F. HERMAN.

(Inclosure 2.)—*Extract from the Custom-House Books at Bengazi.*

(Translation.)

11 *Rabia Yani*, 1266.

HADJ MAHOMET BOBALLA, through the Custom-House of Bengazi, shipped the following negro slaves to Constantinople:

22 Sherral, 1263	..	..	..	..	3
14 Rabia Yani, 1264	..	..	..	..	2
8 Rajeb	..	..	..	..	2
					—
					7

Given from my books, at the request of my friend the Consul Bey, with the seal of the late Director of Customs,

ESACHET MEHEMET SHEMSHI BEY.

Countersigned with the seal of

NEGIB EFFENDI, *Chief Custom-House Clerk.*

(Memorandum.)

Bengazi, March 4, 1850.

HIS Excellency Akriff Bey, Governor of the Province of Bengazi, by a personal inspection of the Custom-House books, verified the correctness of the above extract, in the presence of the undersigned.

G. F. HERMAN.

(Inclosure 3.)—*Extract from the Custom-House Books at Bengazi.*

(Translation.)

14 *Rabia Yana*, 1264.

Two slaves shipped by Hadj Mahomet Boballa, for Stamboul, under the care of Mahomet Sabli.

16 *Rabia Yani*, 1264.

One slave sold by Hadj Mahomet Boballa to Mahomed Mograbi,

Given at the request of my friend, the Consul Bey, with the seal of

ESACHET MEHEMET SHEMSHI BEY,

Late Director of Customs.

Bengazi, 11 Rabia Yani, 1266.

There is no corresponding entry to this to be found in the Custom-House books, but it is entered in mine, from which I have made the present extract.

(Inclosure 4.)—*The Governor-General of Tripoli to Consul-General Crowe.*

(Extract.)

(Translation.)

March 24, 1850.

I HAVE received from the Caimakam (Governor) of Bengazi a report, stating he had called before him the officer of Customs, and in the presence of the British Vice-Consul had examined the register of the Custom-House, by which it appeared that in the year 1264 (A.D. 1848) Hadji Mahomet Boballa residing at Bengazi, under the protection of the French Republic, had sent to Constantinople 4 slaves, and that upon the request of the British Vice-Consul, a certificate to that effect was delivered to him.

It appears also from a subsequent report received from the Caimakam that this same person had shipped in the same year 3 other slaves, a certificate of which was also delivered to the British Vice-Consul, by order of the Caimakam.

G. W. Crowe, Esq.

No. 523.—*Consul-General Crowe to Visct. Palmerston.*—(Rec. May 25.)

MY LORD,

Tripoli, April 10, 1850.

I HAVE the honour to transmit herewith the copy of a despatch from Vice-Consul Dickson, reporting the departure of a small caravan of Souf people, who took with them 2 female slaves for the Kaid of Nefta, an oasis in the Tunisian Jereed.

I have, &c.

Viscount Palmerston, G.C.B.

G. W. CROWE.

(Inclosure.)—*Vice-Consul Dickson to Consul-General Crowe.*

SIR,

Ghadames, March 12, 1850.

I HAVE the honour to report to you that a small caravan of Souf people left this yesterday for their country and Nefta, an oasis in the Tunisian Jereed, conveying, besides one load of elephants' teeth and other sundry goods, 2 female slaves, destined for the Kaid of the latter place.

I regret to observe that the Souf traders occasionally resort to this nefarious traffic, although they are subject to French rule. In the present instance, moreover, the noble exertions of the Bey of Tunis for its extinction have been totally disregarded.

The 2 poor creatures alluded to have but recently arrived from Ghat, and will now have to perform a journey of 15 days through loose sand, 7 of which are without water, ere they will reach their destination.

I have, &c.

G. W. Crowe, Esq.

C. H. DICKSON.

No. 524.—*Consul-General Crowe to Visc^t. Palmerston.*—(Rec. June 21.)

MY LORD,

Tripoli, May 20, 1850.

I HAVE the honour to report to your Lordship that the Ottoman Government steamer *Esseri Djedid*, which arrived here on the 12th instant, with troops, left this port for Constantinople on the 17th instant, with 825 soldiers, whose period of service had expired; having also embarked 444 slaves, the greater part of whom were females.

Since the departure of this ship, I have been informed that the chief engineer is a British subject, who has thus, by serving on board, and assisting in navigating a vessel so employed, acted in direct violation of the laws passed for the abolition of Slave Trade, and has made himself liable to the severe penalties thereby imposed.

I have reported the circumstance to Her Majesty's Ambassador at Constantinople.

It will probably appear to your Lordship expedient, upon this occasion, to intimate to the Ottoman Government that British subjects are not permitted to serve on board ships employed in the transport of slaves.

I have, &c,

Viscount Palmerston, G.C.B.

G. W. CROWE.

No. 525.—*Vice-Consul Herman to Visc^t. Palmerston.*—(Rec. June 21.)

MY LORD,

Bengazi, May 23, 1850.

I HAVE the honour to report to your Lordship the arrival here, on the evening of the 18th instant, of the great caravan from Wady.

It approached the town in 3 divisions, moving in perfect silence, at the rate of 2 miles an hour, and covering from front to rear some 2,400 yards of ground. As the divisions arrived in succession on the ground of their encampment, the camels were unloaded and parked, tents pitched, fires lighted, and preparations for cooking made, with an order, celerity, and silence that would have done credit to regular troops.

The inclosed return will furnish your Lordship with a state of the *personnel* and *matériel* of this caravan, as also with an estimate of the value of its slaves and merchandize.

Including the various halts on the line of march, the distance has been performed in 162 days.

The casualties have been most severe: 430 slaves (one-fourth of their original strength) and upwards of 2,000 camels perished on the march between Wady and Auxella, from the extreme severity of the cold which prevailed in the interior during the winter months.

Tents are provided only for the principal officers and merchants, their followers, and some few of the most valuable slaves; the main body constantly bivouac. In the absence, therefore, of any more aggravated cause, the action of the nocturnal dews on the half-naked

youthful and exhausted frames of these unfortunates, would alone have been sufficient to have produced a great mortality amongst them.

Recruited and re-organized by a long halt at Angella, the caravan has arrived in much higher condition than could have been expected after so long and severe a march.

Nine-tenths of the slaves are females, many of whom possess personal attractions of a very high order. Tall and symmetrical in stature, graceful in carriage, Caucasian in feature, their hair parted in the centre, and falling in long plaited tresses on the neck and shoulders, imparts to them all the character and expression of the antique.

The present ruler of Wady has sent down 100 slaves, the produce of whose sale is to be remitted to Mecca by some 40 of his people who have arrived to make the pilgrimage. I have, &c.

Viscount Palmerston, G.C.B.

G. F. HERMAN.

(Inclosure.)—*State of the "Personnel and Matériel" of the Wady Caravan and the estimate of the value of its Slaves and Merchandize.*

Bengazi, May 23, 1850.

Officers, merchants, followers, &c.	..	..	70
Pilgrims	..	..	40
Slaves	..	..	1,200
Camels	..	..	450
<hr/>			
		£	s. d.
672 cantars of ivory, value	..	8,736	0 0
6 „ ebony „	..	80	0 0
1,200 slaves	..	56,000	0 0
<hr/>			
Grand total	..	£64,816	0 0

Perished on the march between Wady and Angella,

Slaves 430

Camels 2,000 and upwards.

Nine slaves died between Angella and Bengazi.

G. F. HERMAN.

No. 527.—*Consul-General Crowe to Visc^t. Palmerston.*—(Rec. Mar. 10.)

MY LORD,

Tripoli, January 17, 1851.

THE statements of the numbers of slaves exported, during the last year from this port and that of Bengazi, which I have the honour to transmit herewith, exhibit a deplorable increase of this inhuman traffic.

In the previous year, the numbers shipped from both ports amounted to 1,424. By the inclosed returns, it will be seen that 1,474 have been exported from Bengazi alone, and 1,259 from this

[1850—51.]

2 P

port: making a fearful total of 2,734, the greater part of which were young girls, sold at an average price of 60 dollars (12*l.* 10*s.*).

I have, &c.

Viscount Palmerston, G.C.B.

G. W. CROWE.

(*Inclosure 1.*)—*Return of 1,259 Slaves shipped on board of Ottoman Vessels in the Port of Tripoli in the year 1850.*

(*Inclosure 2.*)—*Return of the number of Negro Slaves exported from Bengazi during the year 1850.*

Bengazi, January 1, 1851.

To Candia and the Levant, 1,474.

G. F. HERMAN.

No. 528.—Consul-General Crowe to Visc^t. Palmerston.—(Rec. Mar. 10.)

MY LORD,

Tripoli, January 27, 1851.

I HAVE the honour to acknowledge the receipt of your Lordship's despatch of the 13th December last, inclosing the copy of an instruction recently issued by order of His Highness the Sultan, prohibiting the embarkation of slaves on board ships of the Turkish Navy; a measure which appears to have been adopted upon the suggestion of Her Majesty's Government, in consequence of a report which I made to Sir Stratford Canning and to your Lordship, in my despatch of the 20th May, 1850, respecting a great number of slaves shipped from this port, on board the Ottoman Government steamer *Esseri Djedid*.

I have, &c.

Viscount Palmerston, G.C.B.

G. W. CROWE.

TURKEY.

No. 529.—Viscount Palmerston to Sir Stratford Canning.

SIR,

Foreign Office, April 11, 1850.

I HEREWITH transmit to you a copy of a despatch and of its inclosures from Her Majesty's Consul-General at Tripoli, containing a report on the Slave Trade carried on, through the Regency of Tripoli to Turkey and the Levant, during the year 1849. I have to instruct your Excellency to communicate to the Turkish Government the facts which are disclosed in these papers respecting the sufferings of, and the mortality among the slaves, during their journey from the interior of Africa to the sea-coast; and you will

urge the Turkish Government to consider whether any advantage which Turkey can derive from the annual introduction of these miserable and degraded slaves can counterbalance the amount of human suffering which their capture and transportation occasion.

I am, &c.

H.E. Sir Stratford Canning.

PALMERSTON.

No. 530.—Sir Stratford Canning to Visc^t. Palmerston.—(Rec. May 27.)

MY LORD,

Constantinople, May 10, 1850.

I HAVE executed your Lordship's instructions respecting the dreadful sufferings and loss of life experienced in the prosecution of the Slave Trade between the interior of Africa and the coast of Tripoli. Inclosed herewith is a copy of the letter which I addressed to Aali Pasha in soliciting his attention to the afflicting details transmitted to me with your Lordship's correspondence. I have requested that the whole communication may be placed under the Sultan's immediate notice, and I am assured that my request will be complied with.

Aali Pasha remarked, after reading the correspondence in question, that Her Majesty's Consuls had exaggerated the facts; and I have applied to his Excellency for some particulars in corroboration of his assertion, observing to him that the Consuls are moved by no interest to exaggerate the horrors of the Slave Trade; whereas the officers of the Porte are not only prejudiced in favour of the trade, but interested in concealing those horrors, which, sooner or later, can hardly fail of putting an end to it. I have, &c.

Viscount Palmerston, G.C.B.

STRATFORD CANNING.

(Inclosure.)—Sir Stratford Canning to Aali Pasha.

SIR,

Pera, May 7, 1850.

IT has been more than once my painful duty to call the Porte's attention to the afflicting and calamitous consequences resulting from the Slave Trade, as practised in the interior of Africa, with the view of supplying Constantinople and other parts of Turkey with slaves from that country by way of Tripoli.

It is now by the express commands of Her Britannic Majesty's Government that I bring to your Excellency's notice the melancholy facts detailed in the accompanying abstract of despatches received from the British Consuls at Tripoli and Bengazi. Your Excellency's well-known humanity assures me beforehand that they will not fail to make a deep impression on your Excellency's mind.

I am sanguine enough to hope that the Turkish Government will maturely and conscientiously consider whether any advantage

which Turkey can derive from the annual introduction of those miserable and degraded slaves can counterbalance the amount of human suffering which their capture and transportation occasion.

Your Excellency will, I am persuaded, take an early opportunity of submitting this note and its inclosure to the consideration of His Imperial Majesty the Sultan, who is never indifferent to the voice of affliction and the claims of suffering humanity.

I avail, &c.

H.E. Aali Pasha.

STRATFORD CANNING.

No. 531.—Sir Stratford Canning to Visct. Palmerston.—(Rec. June 3.)

MY LORD,

Constantinople, May 17, 1850.

HAVING received information that among the British merchants residing at Smyrna, there were some who had purchased and were still in possession of black female slaves, I directed an inquiry to be made, and it has in consequence been ascertained that 2 only of the gentlemen in question, and also 2 Ionian subjects, have acquired property of that kind. It appears that owing to a scarcity of female servants, the practice of purchasing slaves is common in Smyrna, especially among persons of the Roman Catholic persuasion, who, while availing themselves of the services of the slaves, consider it meritorious to convert them to their own faith.

I bring this subject under your Lordship's notice, not only as matter of information, but in order to afford your Lordship an opportunity of instructing me as to the proper mode of proceeding with regard to such British subjects as are known to possess slaves. My own impression is, that in whatever manner the owners may have to be dealt with, the slaves themselves are entitled to their liberty, as having no nationality but what belongs to them as British chattels, and the English law, which is here applicable to all cases in which British subjects alone are concerned, does not recognize the condition of slavery. I have communicated this opinion to Mr. Brant.

I have, &c.

Viscount Palmerston, G.C.B.

STRATFORD CANNING.

No. 533.—Sir Stratford Canning to Visct. Palmerston.—(Rec. July 6.)

MY LORD,

Constantinople, June 18, 1850.

BEING informed by Her Majesty's Consul at Tripoli, that upwards of 400 negro slaves had been embarked for Constantinople, on board the *Ottoman* steam-ship, a Government vessel, having a British engineer on board, I communicated the circumstance both to Her Majesty's Consul-General and to the Ottoman Secretary of State for Foreign Affairs. From Aali Pasha I received no expression of sympathy or concern. That Minister, enlightened as he is in many respects, and open to views of humanity, appears to forget the

horrors of the traffic in its earlier stages, and to think that an ample atonement for them is to be found in the kind and generous treatment experienced for the most part by slaves in this country. I have, therefore, made a point of recommending the question to the serious attention of the Grand Vizier. I found his Highness in appearance more accessible than his colleague to my remarks; and when I pointed out the extreme difficulty of reconciling the conveyance of marketable slaves in a Government vessel, with the assurance repeatedly given in the Sultan's name, that no officers of the Porte would be allowed to take any part in that traffic, he made no attempt to contradict me, and seemed on the contrary to admit the justice of my remonstrance.

I do not despair of being able to make a more successful impression hereafter, by recurring occasionally to this subject in my communications with the Sultan and his Ministers.

I have, &c.

Viscount Palmerston, G.C.B.

STRATFORD CANNING.

No. 534.—Viscount Palmerston to Sir Stratford Canning.

SIR,

Foreign Office, July 16, 1850.

WITH reference to the several representations which you have made to the Turkish Government, on the subject of the Slave Trade carried on from the Regency of Tripoli to Turkey and the Levant, I herewith transmit to your Excellency for your information, a copy of a letter dated Mourzouk, May 15, 1850, which I have received from Mr. Richardson, a gentleman who is engaged on a journey into the interior of Africa, and who expresses an opinion that there can be little hope of persuading the chiefs of the interior to give up the Slave Trade, so long as it is permitted to be carried on through the Turkish dependencies in Africa, under the sanction and even for the benefit of persons holding office under the Turkish Government.

I am, &c.

H.E. Sir Stratford Canning.

PALMERSTON.

No. 535.—Sir Stratford Canning to Visct. Palmerston.—(Rec. Sept. 2.)

MY LORD,

Therapia, August 19, 1850.

I HAVE received a distinct assurance from Aali Pasha, that orders will be given to prevent any further embarkation of negro slaves in Turkish steam ships of war.

Unhappily the Turkish flag is not the only one employed to cover such criminal transactions. It is notorious that slaves are frequently conveyed in steamers belonging to the Austrian Company of Lloyd's; and your Lordship needs no observation from me, to feel how much

a practice, so entirely at variance with the spirit at least of Austria's own engagements respecting the Slave Trade, is to be deplored.

I have, &c.

Viscount Palmerston, G.C.B.

STRATFORD CANNING.

No. 537.—Viscount Palmerston to Sir Stratford Canning.

SIR,

Foreign Office, September 19, 1850.

I REFERRED to Her Majesty's Advocate-General your Excellency's despatch of the 17th of May last, on the subject of the purchase of slaves at Smyrna by British subjects; and in accordance with the opinion of that officer, I have now to inform your Excellency that persons purchased and held as slaves by British subjects at Smyrna or elsewhere in the Levant, are by law entitled to be considered and treated as free persons; and that British subjects purchasing and holding persons as slaves at Smyrna or elsewhere in the Levant, are liable, under the Statute 6th and 7th Victoria, cap. 98, and the orders founded thereon, to be sent to Malta for trial, and, upon production of the necessary evidence, to be convicted and punished.

I have to instruct your Excellency to make a communication to this effect to Her Majesty's Consuls at the Levant, and to instruct them to issue a notice to all British subjects residing within their respective Consulates, warning them of the penalties to which they will render themselves liable by any dealings in slaves, in contravention of the Statute of the 6th and 7th Victoria, cap. 98.

I am, &c.

H.E. Sir Stratford Canning.

PALMERSTON.

No. 539.—Sir Stratford Canning to Visc^t. Palmerston.—(Rec. Nov. 19.)

MY LORD,

Therapia, November 2, 1850.

IN obedience to the directions contained in your Lordship's despatch of the 19th of September last, I have addressed to Her Majesty's Consuls in the Levant the circular of which a copy is herewith enclosed, and I trust that it will have the beneficial effects intended by Her Majesty's Government.

I have, &c.

Viscount Palmerston, G.C.B.

STRATFORD CANNING.

(Inclosure.)—Circular to Her Majesty's Consuls in the Levant.

SIR,

Constantinople, October 30, 1850.

BY the special direction of Her Majesty's Principal Secretary of State for Foreign Affairs, I have to inform you, that persons purchased and held as slaves by British subjects in the Levant, are by law entitled to be considered and treated as free persons; and that British subjects purchasing and holding persons as slaves at Smyrna, or elsewhere in the Levant, are liable under the Statute 6th and 7th

Victoria, cap. 98, and the orders founded thereon, to be sent to Malta for trial, and, upon production of the necessary evidence, to be convicted and punished.

On the receipt of this instruction, you will issue a notice to all British subjects residing within your Consulate, and you will thereby admonish them in suitable terms, of the penalties to which they will render themselves liable by any dealings in slaves, in contravention of the above-mentioned statute. I have, &c.

Her Majesty's Consuls.

STRATFORD CANNING.

No. 540.—*Sir Stratford Canning to Visc^t. Palmerston.*—(Rec. Dec. 2.)

MY LORD,

Therapia, November 16, 1850.

I HAVE obtained with considerable difficulty from Aali Pasha, a copy of the Grand Vizier's order, directing that slaves shall not be embarked in future on board the Government steamers, and I have the honour to inclose a translation of it herewith.

I requested Aali Pasha to submit to the Sultan himself the reports received from Bengazi, and transmitted to me by your Lordship as illustrative of the horrors of the Slave Trade in its earlier stages, and his Excellency promised to comply with my wishes.

I have, &c.

Viscount Palmerston, G.C.B.

STRATFORD CANNING.

(Inclosure.)—*The Grand Vizier to the Captain Pasha.*

Le 13 Novembre, 1850.

LA Sublime Porte a appris que dernièrement, lorsque le bateau à vapeur de la Marine Impériale appelé *Esseri Djedid*, partait de Tripoli de Barbarie pour retourner ici, des négocians ont embarqué sur ce bateau quelques centaines d'esclaves noirs. Or, il ne convient pas d'embarquer des esclaves sur les bâtimens de la Marine Impériale, et voilà pourquoi Sa Majesté le Sultan a ordonné que dorénavant on ne reçoive plus des esclaves sur les bâtimens du Gouvernement qui se rendent à ces parages là.

Votre Excellence aura donc à faire exécuter les ordres que Sa Hautesse vient de donner à cet égard.

No. 541.—*Viscount Palmerston to Sir Stratford Canning.*

SIR,

Foreign Office, December 14, 1850.

I HAVE received your despatch of the 16th ultimo, inclosing a translation of the instructions issued by the Grand Vizier to the Captain Pasha, prohibiting an embarkation of slaves on board ships of the Turkish Navy; and I have, in reply, to instruct your Excellency to convey to the Turkish Government the thanks of Her Majesty's Government for the important step which they have

thus taken towards the suppression of the African Slave Trade of Turkey.

I am, &c.

H.E. Sir Stratford Canning.

PALMERSTON.

No. 543.—Sir Stratford Canning to Visct. Palmerston.—(Rec. Feb. 8)
 MY LORD, *Constantinople, January 20, 1851.*

WITH reference to the correspondence which lately passed between Her Majesty's Minister at Vienna and Prince Schwarzenberg, relative to the occasional conveyance of slaves in the steam-vessels belonging to the Austrian Lloyd's Company, more particularly those parts of it which engage to call the most earnest attention of the officers and agents of the Company to any departure from the existing regulations, I avail myself of the present opportunity to forward to your Lordship herewith, in copy, a circular which I have addressed to Her Majesty's Consuls in such ports of the Levant as are regularly visited by steam-vessels under the Austrian flag.

I beg to offer to your Lordship my acknowledgments for the communication of a correspondence, which, though it disclaims the culpable irregularity complained of, affords an additional security for the progressive abandonment, by Christians, of that abominable traffic which England has long so strenuously laboured to abolish.

I have, &c.

Viscount Palmerston, G.C.B.

STRATFORD CANNING.

(Inclosure.)—Circular to Her Majesty's Consuls at Smyrna, Rhodes, Beyrout, Alexandria, Tripoli, Dardanelles, Samsoon, Trebizond.

SIR,

Constantinople, January 17, 1851.

THE prevailing impression that slaves are not unfrequently brought into Turkey, or conveyed from one Turkish port to another in steam-vessels bearing the flag of some Christian State, and the well-known anxiety of Her Majesty's Government to contribute by all possible means to the prevention of such practices, impose upon me the duty of calling your attention to this important matter, and of requesting that you will be careful to inform me of any cases of the above-mentioned description which may happen to fall under your immediate notice.

The Directing Committee of the Austrian Lloyd's Company having, as I am officially informed, instructed its captains and agents to devote their most earnest attention to this subject, it is to be presumed that should any case occur in which it might be desirable for you to communicate thereon with the Austrian Consular authorities, you will find every disposition on their part to prevent the conveyance of slaves in the Company's steam-vessels.

I have, &c.

Her Majesty's Consuls.

STRATFORD CANNING.

No. 544.—*Sir Stratford Canning to Visc^e. Palmerston.*—(Rec. Feb. 10.)

MY LORD,

Constantinople, January 24, 1851.

I HAVE availed myself of a favourable opportunity to convey the thanks of Her Majesty's Government to the Sultan on account of the orders which he had given to prevent the transmission of slaves in vessels belonging to his navy. Mr. Stephen Pisani, who was charged with the conveyance of my message to His Majesty, reports him to have said in reply, that "he exceedingly regretted not being able to go further at present, but he hoped ere long to abolish the nefarious trade within his dominions. It is a shameful and barbarous practice," continued His Majesty, "for rational beings to buy and sell their fellow-creatures. Though slaves in Turkey are treated better than elsewhere, yet are they sometimes very ill used. Are not these poor creatures our equals before God? Why then should they be assimilated to animals?"

This language on the part of a Sovereign whose will is law throughout an extensive empire bordering on the slave regions, may be deemed the more satisfactory, as the occasion on which he used it was one that called for nothing more than a courteous acceptance of the message conveyed to him through Mr. Pisani.

I have, &c.

Viscount Palmerston, G.C.B.

STRATFORD CANNING.

No. 545.—*Viscount Palmerston to Sir Stratford Canning.*

SIR,

Foreign Office, February 19, 1851.

WITH reference to your Excellency's despatch dated the 20th ultimo, respecting the occasional conveyance of slaves in the steam-vessels belonging to the Austrian Lloyd's Company, I have to convey to your Excellency the approval of Her Majesty's Government of the circular which you have addressed upon this subject to Her Majesty's Consuls in such ports of the Levant as are regularly visited by steam-vessels under the Austrian flag, of which circular a copy is inclosed in your Excellency's despatch. I am, &c.

H.E. Sir Stratford Canning.

PALMERSTON.

TURKEY (*Prevesa*).

CONSULAR.

No. 549.—*Consul Saunders to Viscount Palmerston.*—(Rec. Mar. 27.)

MY LORD,

Prevesa, February 10, 1851.

I HAVE the honour to acquaint your Lordship that on the 3rd instant, a Turkish merchant-brig arrived here from Candia, having on board a number of Arab slaves purchased at that island by an

Albanian, who accompanied them, and who, having landed them here, exposed them for sale in the town.

The condition of these unfortunate beings, chiefly young females, and all separated from their parents, excited universal commiseration. They had been originally exported from Bengazi, whence, as it would appear, the great slave-depôt at Candia is continually supplied, the same origin having been verified in other instances; for although this is the first case which has come under my immediate notice, since those slaves who were in 1842 imported in an Ionian vessel from the same quarter, and liberated, as reported at the time, yet several other expeditions of this nature have, I understand, occurred during the last twelve months; and such odious speculations having proved successful, the traffic has begun to assume a certain importance in the eyes of unprincipled adventurers.

With a view of frustrating at least the contemplated profits in this instance, and of annexing to such undertakings a feeling of insecurity, more especially if by any means the manumission of the parties should be ultimately obtained, I addressed a letter to the Pasha (a copy of which I have the honour to inclose), calling his attention to the unceasing efforts which the Sultan has made to extend and promote the civilization of his empire, and pointing to the abolition of the slave-market at Constantinople as a striking evidence of the feelings entertained upon this head; in accordance with which I urged him to take the case of these unfortunate beings into consideration, and to cause their persons to be secured until the pleasure of the Government might be signified as to their eventual disposal.

The local Council having been assembled at my request, I invited the President and Governor of the town, Hassan Aga, to take cognizance of this letter, which was consigned open, and the translation read and explained before the Council, together with a short note addressed to the aforesaid Governor himself, holding him responsible for the safe custody of all the parties, until he should receive instructions in the matter.

This appeal proved successful beyond even my most sanguine expectations; it being eventually agreed upon to send the parties at once before the Pasha, under sufficient escort, and their departure having since taken place, after some ineffectual opposition on the part of the Colonel commanding the garrison, who was himself in Treaty for the purchase of one of the slaves for his own harem.

I have at the same time reported all the circumstances to Her Majesty's Ambassador at Constantinople, venturing also to express a hope that his Excellency's influential interposition might not impossibly triumph in provoking some restrictive measures of wider

application, whereby more extensive and permanent benefits may be secured.

With respect to that paragraph of my letter to the Pasha which alludes to the Greek slaves still forcibly retained in some parts of Epirus, the Pasha, to whom I had previously spoken upon this subject, has summoned the parties to whom in particular I had directed his attention, in order that the circumstances may be duly investigated. I have since heard that the matter will be brought under the consideration of the Representatives of the Protecting Powers at Constantinople by the Greek Minister there, M. Metaxà.

I have, &c.

Viscount Palmerston, G.C.B. SIDNEY SMITH SAUNDERS.

(Inclosure.)—*Consul Saunders to the Governor-General of Epirus.*

YOUR EXCELLENCY,

Prevesa, February 4, 1851.

THE world contains a vast multitude of created beings, endowed with various instincts, and actuated by different propensities; the weaker in many instances falling a prey to the stronger, and these latter in their turn held in check by others more powerful than themselves. Man himself, whose reasoning powers constitute a remarkable elevation over the brute creation, when in a state of savage ignorance often debases his exalted faculties to the worst of purposes; and it is the part of civilisation to improve and refine the mind, by promoting the operation of beneficial agencies for the common good.

His Imperial Majesty the Sultan Abdul Medjid, as known to all the world, has wisely distinguished himself by directing all the energies of his Government for many years to the extension of civilisation throughout the Turkish Empire; and among the most conspicuous evidences of His Highness's philanthropy, is the measure adopted, some years back, of abolishing the slave-market at the capital, accompanied at the time with the most strenuous denunciation of this iniquitous traffic in open Council.

The feelings of His Imperial Majesty having been thus strikingly manifested in this matter, I cannot doubt that your Excellency's noble character will prompt a corresponding action on your part, on all occasions wherein your Excellency's co-operation may be rendered available. I feel it therefore incumbent upon me to bring under your Excellency's notice, that yesterday an Ottoman vessel, called the *Sementi-Gehad*, arrived from Candia, having on board a certain Albanian, named Ali Moutzo, of Verva, in the district of Tehamourià, bringing with him 9 female slaves and 1 male, being 10 in all, the whole young and isolated from their parents; the aforesaid individual exposing them for sale at a khan in the town, where he has established his slave-market.

Your Excellency will doubtless know whether there be any law permitting the subjects of His Imperial Majesty to traffic in the lives of their fellow-men. I am credibly informed that there is not; but at all events, if such transactions be recognized as legal, or if not absolutely prohibited, I would proceed to ask your Excellency, whether the same rule may not equally apply to the person of the aforesaid Albanian himself, that is to say, whether the power of the Government may not with equal reason be exerted to convey him forcibly to some distant part of the empire, to be there sold as a slave, if in point of fact worth anything?

If, indeed, the merits of the case depend upon differences of colour alone, your Excellency is aware that it is the custom of his countrymen to express an exalted notion of character, void of reproach, by the denomination of white face, which this individual certainly does not exhibit, while his heart is evidently of the darkest complexion. Moreover, as your Excellency is aware, from some late representations which I had occasion to make, there are others of his compatriots, and in particular a certain Tzao Bey (whom accident alone prevented from being sent into exile to Koniah), who not only keep white slaves, carried off from Greece during the war, and retained in contravention of the stipulations between the respective Governments, but even pretend to sell and inherit, as live-stock belonging to their estates, the children springing from marriages promoted by them for this purpose.

Your Excellency has encouraged me to believe that this matter will secure your Excellency's earnest attention; and I trust that this affair of Ali Moutzo will also be taken into serious consideration. At all events, it would be desirable that this individual, together with the unfortunate Arab girls, were conveyed into your Excellency's presence, and detained until the intentions of the Government be made known to your Excellency in regard to their ultimate fate.

I avail, &c.

SIDNEY SMITH SAUNDERS.

The Governor-General of Epirus.

P.S.—I find there are 10 female slaves and 1 male, making 11 in all.

S. S. S.

No. 550.—*Consul Saunders to Viscount Palmerston.*—(Rec. Mar. 27.)

MY LORD,

Prevesa, February 26, 1851.

WITH reference to my preceding despatch, upon the subject of the Arab slaves recently imported here from Candia, I have the honour to submit to your Lordship the copies of 2 despatches which I have addressed to Her Majesty's Ambassador at Constantinople,

reporting the further proceedings which have since taken place in the matter. I likewise transmit translated copy of the Pasha's reply to my original representation upon this head.

I have, &c.

Viscount Palmerston, G.C.B. **SIDNEY SMITH SAUNDERS.**

(*Inclosure 1.*)—*Consul Saunders to Sir Stratford Canning.*

SIR,

Prevesa, February 15, 1851.

WITH reference to the case of the Arab slaves recently imported here from Candia, I have the honour to acquaint your Excellency that the Pasha has placed certain indirect restrictions upon the sale, which may possibly have some effect in deterring purchasers for a time; that is to say, he has required that such parties should be presented to him previously to completing their purchase, for the purpose of warning them of their liability to carry into effect whatever the Government may determine in the matter; and, although opposed by the Council in all such impediments, promising to use his endeavours to prevent the transfer of the slaves to any other province with the view of effecting a sale elsewhere.

In the meantime the Albanian, intimidated, has expressed his readiness to renounce the slaves at prime cost (said to be from 10*l.* to 12*l.* each); and inasmuch as their unrestricted sale, if permitted, would have a tendency on the one hand to encourage further speculations of this nature, so on the other, their ostensible manumission, although they should remain in the Turkish harems as free blacks, would serve in a corresponding ratio to discountenance such adventures.

It is also worthy of observation that the treatment of slaves by their Turkish masters, more especially in the provinces, is frequently marked by extreme brutality; and that, however exceptional their condition may be considered in some respects, their acknowledged position and liabilities as such render them wholly dependent upon caprice, and place their wrongs always beyond the reach of legal redress; which evils might be essentially modified by some palliative restrictions in the absence of any more effectual remedy.

I have, &c.

H.E. Sir Stratford Canning. **SIDNEY SMITH SAUNDERS.**

(*Inclosure 2.*)—*Consul Saunders to Sir Stratford Canning.*

SIR,

Prevesa, February 22, 1851.

WITH reference to my preceding despatch, acquainting your Excellency with the steps taken by the Pasha in the affair of the Arab slaves, I have now the honour to submit to your Excellency copy and translation of the reply which I have received from Ismail Pasha, assuring me of his favourable disposition in the matter, but

explaining at the same time the difficulties connected therewith; and in further illustration thereof, he has privately mentioned that, on some former occasion, when Governor of Trebizond, having offered some remarks respecting the continual traffic in slaves carried on there, he was rebuked for taking notice of this, and his attention called to the circumstance of their being transported 50 at a time by the steamers navigating under the flags of foreign Powers between that port and Constantinople.

He has, however, engaged to take up the affair of the Greek slaves with energy and effect, without waiting for any orders upon the subject, and to report favourably in the other matter.

I have, &c.

H.E. Sir Stratford Canning

SIDNEY SMITH SAUNDERS.

(Inclosure 3.)—*The Governor-General of Epirus to Consul Saunders.*

SIR, (Translation.) *Yanina, $\frac{1}{13}$ February, 1851.*

I HAVE had the honour to receive your letter of the 4th instant, and have derived extreme satisfaction from the friendly sentiments therein expressed, while you also call my attention to the affair of certain female slaves and 1 male, all Arabs, which an Albanian of Tchamourià conveyed from Candia to Prevesa for sale in these parts, requesting me to prohibit such sale.

Ever-most-illustrious friend! you cannot doubt that I have no kind of order from my much revered Government to prevent such a proceeding, nor have I seen any order upon this subject in any other part of the empire; it is, therefore, with the greatest regret that I am unable to take any step whatever in the matter without a direct order from my Government, and it is not, therefore, in my power to accede to your request, lest I should be inculpated by my Government. All that occurred at Constantinople upon this head was, that a locality which had been exclusively devoted to the sale of slaves, called "Yesir-bazaar," is no longer so used, slaves not being now sold there; but in the khans and houses at Constantinople, and in all parts of the empire, this commerce still continues free and unrestricted.

Being bound to follow the orders of my Government, and at the same time extremely desirous to carry your wishes into effect, which I am unable to do without a positive order, I have referred to the Government and await instructions whether I should stop this traffic or not, and I must act according to the orders which I may receive.

As regards the slaves being taken about in and out of the khans, this being irregular, I have put a stop to it; but as it is possible that the desired instructions may be delayed, while the Council trouble me, saying, "How can you interfere without orders in a

matter which has hitherto encountered no opposition, either in this or any other part of the empire?" therefore the slaves will be disposed of, but in respectable and well-known quarters, so that as soon as the orders of the Government may be received, they may be readily recovered if necessary.

Such is the course to be pursued in this matter, until the arrival of orders from my superiors.

I again repeat that I regret being unable to accede to your request, as I should myself have had pleasure in doing, but I feel sure you are aware that without superior orders I am unable to introduce the smallest innovation in any matter whatsoever.

Accept, &c.

S. S. Saunders, Esq.

MUSHIR ISMAIL PASHA.

UNITED STATES.

No. 553.—Sir H. L. Bulwer to Viscount Palmerston.—(Rec. April 30.)

MY LORD,

Washington, April 15, 1850.

WITH reference to your Lordship's despatches of the 28th of January and 6th of February, respecting the Slave Trade carried on in American ships in the Brazils, I do myself the honour to inclose, for your Lordship's information, a copy of a note which I have received from Mr. Clayton, in reply to communications I had made to him in conformity with the instructions contained in your Lordship's above-mentioned despatches.

I have, &c.

Viscount Palmerston, G.C.B.

H. L. BULWER.

(Inclosure.)—Mr. Clayton to Sir H. L. Bulwer.

SIR,

Washington, April 4, 1850.

I HAVE the honour to acknowledge the receipt of your 2 notes under date the 24th ultimo, upon the subject of the Slave Trade carried on at Rio de Janeiro in United States' vessels. A copy of them has been communicated to the Secretary of the Navy, and to The United States Minister at Rio de Janeiro, and this department has instructed the latter to exert all his authority for the repression of the traffic adverted to, which is strictly forbidden by our laws. It is the determination of the President that, so far as it may depend upon him and upon those officers who are subject to his orders, those laws shall be faithfully and rigidly carried into effect.

I avail, &c.

Sir H. L. Bulwer.

JOHN M. CLAYTON.

No. 554.—Sir H. L. Bulwer to Viscount Palmerston.—(Rec. May 14.)

MY LORD,

Washington, April 28, 1850.

WITH reference to my despatch of the 15th instant, inclosing a copy of a communication which I had received from Mr. Clayton, in reply to 2 notes which I had addressed to him, in conformity with the instructions contained in your Lordship's despatches on the subject of the Slave Trade carried on in American vessels in the Brazils, I now do myself the honour of inclosing herewith a copy of a further note, and of its inclosure, from Mr. Clayton, on the same subject.

I have, &c.

Viscount Palmerston, G.C.B.

H. L. BULWER.

(Inclosure 1.)—Mr. Clayton to Sir H. L. Bulwer.

SIR,

Washington, April 26, 1850.

I HAD the honour to inform you, on the 4th instant, that a copy of your 2 notes, under date the 24th of March last, upon the subject of the Slave Trade carried on at Rio de Janeiro in United States' vessels, had been communicated to the Secretary of the Navy, I now do myself the honour to transmit to you herewith a copy of that officer's reply.

I am, &c.

Sir H. L. Bulwer.

JOHN M. CLAYTON.

(Inclosure 2.)—Mr. Ballard Preston to Mr. Clayton.

SIR,

Navy Department, April 16, 1850.

I HAVE the honour to inform you that copies of the papers referred to in your letter of the 4th instant have been transmitted to the commanding officer of The United States' squadron on the coast of Brazil, with instructions to exert himself with the utmost activity and energy in the fulfilment of his orders for the suppression of the Slave Trade.

I am, &c.

J. M. Clayton, Esq.

WILLIAM BALLARD PRESTON.

No. 556.—Viscount Palmerston to Sir Henry Bulwer.

SIR,

Foreign Office, June 29, 1850.

I TRANSMIT to you herewith copies of 2 despatches [March 20 and March 27, 1850] and of their inclosures, which have been received from Commodore Fanshawe, Commander-in-chief of Her Majesty's squadron on the west coast of Africa, reporting the circumstances under which 6 vessels sailing under The United States' flag, and furnished with forged ship's papers, purporting to have been legally issued by the competent authorities of The United States, have been captured by Her Majesty's cruizers for being engaged in the Slave Trade; and I have to desire that you will communicate these papers to The United States' Government.

I am, &c.

Sir H. L. Bulwer.

PALMERSTON.

No. 559.—*Viscount Palmerston to Sir H. L. Bulwer.*

SIR,

Foreign Office, August 23, 1850.

I HEREWITH transmit to you a copy of a despatch from Commodore Fanshawe, inclosing copies of a correspondence with Captain Hastings, of Her Majesty's steam-ship *Cyclops*, senior officer in command of the southern division of the west coast of Africa station, and Commodore Fanshawe, on the subject of the course to be pursued by them in order to maintain cordial and friendly co-operation between the officers of the British and United States' navies, respectively engaged in the suppression of the Slave Trade.

I have to instruct you to show these papers to The United States' Minister, and to say that Her Majesty's Government have derived the sincerest gratification from the proofs which this correspondence affords, both of the efficiency of the steps taken by The United States' Government to prevent the abuse of The United States' flag for purposes of Slave Trade, and of the cordiality with which The United States' naval officers, in pursuance of their orders, co-operate with the officers of Her Majesty.

With regard to the questions started by Commander Powell, of The United States' vessel of war *John Adams*, referred to in Captain Hastings' despatch of the 17th of April to his Commander-in-chief, I have to desire you to state that Her Majesty's Government are desirous of coming to an understanding with The United States' Government, in order that identical instructions may be given on these points to the naval officers of the 2 Governments.

You will remark that it is a general and acknowledged principle of international law, that the nationality of a vessel must be determined, not by the flag which may be hoisted from time to time at her mast-head, but by the papers, which prove her ownership; and upon this principle is founded the established practice according to which a ship of war of any nation may require a merchant-vessel, met with at sea, to show her papers, whatever may be the flag which such merchant-vessel may at the moment have hoisted.

It is on this ground that the particular sections, to which Commodore Fanshawe refers, of the Admiralty instructions for the guidance of Her Majesty's naval officers employed in the suppression of the Slave Trade, order officers to board any suspected vessel, and to require the production of her papers, and thence arise the questions mooted by the Commander of The United States' cruiser *John Adams*.

Now it appears to Her Majesty's Government that the proper course to be pursued would be, that if a vessel so boarded should produce American papers, and the master should persist in asserting her American character; and if nevertheless there should be ground

either for suspecting her to be engaged in Slave Trade, or for supposing her papers to be false, the vessel should be delivered over to the nearest United States' naval officer. But if the master should disclaim American nationality, or if The United States' officer should, on examining the papers, find them to be false, then, and in either of those cases the vessel should remain in, or be given back to, the charge of the British officer, to be dealt with by the British courts according to the real character of the vessel. This proposed arrangement is founded on the presumption that the courts of The United States could not deal with a vessel detained for Slave Trade, unless she was United States' property; and that if a slaver were to be sent for trial to The United States, and it should appear on trial that she was not a United States' vessel, the court would acquit her for want of competence in the case.

I herewith transmit for your more convenient reference a printed copy of the Admiralty Instructions above referred to. Two copies of these instructions were, however, sent to Her Majesty's Minister at Washington, in a despatch of the 15th of August, 1844; and he was instructed to communicate one copy to The United States' Government, and to retain the other in the archives of Her Majesty's Mission.

I am, &c.

Sir H. L. Bulwer.

PALMERSTON.

No. 565.—Viscount Palmerston to Sir H. L. Bulwer.

(Extract.)

Foreign Office, November 5, 1850.

I TRANSMIT to you an extract of a letter which I have received from Sir George Jackson, reporting a conversation which he has had with the Commodore of The United States' Naval Forces on the western coast of Africa.

I have to instruct you to communicate a copy of this extract to Mr. Webster, and at the same time to say that Her Majesty's Government are much gratified at finding that Commodore Gregory is actuated by so amicable and conciliatory a spirit towards Her Majesty's squadron, and which Her Majesty's Government cannot but attribute in a great measure to the very friendly tenor of the instructions with which he has been furnished by his Government for the regulation of his conduct in matters connected with the service of suppressing the Slave Trade.

Sir H. L. Bulwer.

PALMERSTON.

(Inclosure.)—Sir George Jackson to Viscount Palmerston.

(Extract.)

Loanda, August 14, 1850.

COMMODORE GREGORY, who is from Connecticut, and who spoke with admiration and enthusiasm of the persevering exertions of Great Britain in the cause of humanity, said his own instructions

were to act in the utmost harmony with the British squadron, and on every occasion to practise the greatest conciliation and forbearance, and even in the case of any difficulty or collision arising, to refrain from any the slightest appearance of disrespect, or intemperance of language or conduct, and to refer all to his Government.
Viscount Palmerston, G.C.B. G. JACKSON.

No. 569.—Viscount Palmerston to Sir H. L. Bulwer.

SIR, *Foreign Office, November 23, 1850.*

WITH reference to my despatch of the 11th ultimo, on the subject of the complaint made by the Commodore in command of The United States' forces on the Brazil station, against the proceedings of Her Majesty's ships *Cormorant* and *Spider* towards The United States' vessels *New World* and *Kingston*, I herewith transmit to you a copy of a further despatch which has been received from Rear-Admiral Reynolds, inclosing a further letter which had been addressed to him by Commodore Storer on this subject.

I have to instruct you to communicate these papers to Mr. Webster, and to point out to him that the tone and substance of Commodore Storer's letters does not seem to be in accordance with the tenor of the instructions which were given by the 2 Governments to their respective cruisers in pursuance of the stipulations of Article VIII of the Treaty of the 9th of August, 1842, and especially not in accordance with the instructions under that Treaty which were issued by Her Majesty's Government in December, 1843, and which were communicated to The United States' Government in March, 1844.

You should say that Her Majesty's Government have no wish whatever that British cruisers should interfere in the slightest degree with *bonâ fide* American vessels, but it is notorious that the slave-traders falsely assume The United States' flag in order to protect themselves from detention, and it is too well known that the mere display of The United States' ensign by a vessel in those seas, cannot be considered as being a proof of the nationality of the vessel.

The only way, therefore, of ascertaining whether a given vessel which may be suspected of being engaged in Slave Trade, and which has hoisted an United States' ensign, is or is not really an United States' vessel, is by an inspection of her papers; and provided such inspection is made in so guarded a manner that no serious inconvenience can thereby accrue to the vessel in the event of her proving to be that which her flag indicates, Her Majesty's Government are persuaded that The United States' Government, animated as it is by a sincere and earnest desire to co-operate effectually with the Government of Her Majesty for the extinction of the Slave Trade,

will not raise objections to a practice which is so essential for the accomplishment of our common purpose. Of course, whenever an United States' cruizer is present, the duty of ascertaining the nationality of such a suspected vessel bearing The United States' flag would devolve upon that cruizer; and Her Majesty's Government would be glad if The United States' Government could, by increasing the number of their cruizers employed on the coasts of Africa and Brazil, provide means for thus inspecting the papers of all vessels under The United States' flag suspected of being engaged in Slave Trade.

I am, &c.

Sir H. L. Bulwer.

PALMERSTON.

No. 576.—Sir H. L. Bulwer to Viscount Palmerston.—(Rec. Feb. 10.)
(Extract.) *Washington, January 27, 1851.*

ON the 22nd instant, Mr. Clay brought forward in the Senate the following resolution, viz.:—"Resolved,—That the Committee on Commerce be instructed to inquire into the expediency of making more effectual provision by law to prevent the employment of American vessels and American seamen in the African Slave Trade; and especially as to the expediency of granting sea-letters or other evidences of national character, to American vessels clearing out of the ports of the Empire of Brazil for the western coast of Africa.

This resolution was carried by a majority of 45 to 9. The present may be a fit occasion to state that I have had, at different times lately, some general conversation with Mr. Clay on the subject of the suppression of the Slave Trade, which he is very anxious to effect.

His views thereupon are, however, that little can be done by the maintenance of a naval force on the coast of Africa, unless the natives of Africa can themselves be brought to discountenance or prevent the traffic.

And his great desire is to aid in maintaining the colony of Liberia, and also to promote other black settlements along the African coast.

This opinion is to be found in a speech which he delivered at a meeting of the Colonization Society on the 21st instant and a copy of which I here inclose.

Viscount Palmerston, G.C.B.

H. L. BULWER.

(Inclosure.)—*Speech of Mr. Clay at the Annual Meeting of the American Colonization Society, on 21st of January, 1851.*

GENTLEMEN OF THE SOCIETY,

I HAVE been told that it is expected on this occasion that I should say a few words—a few words they must be. This, I think, is the 34th year of our existence as a Society, either unincorporated

or incorporated. Of all those who assembled here some 34 years ago to lay its foundation, I believe that I am the sole, or almost the sole survivor; and I have reason to be thankful, as I am, to God for sparing me so long, and enabling me to witness the progress and the success of the Society up to this time.

I have so often addressed it, or rather public assemblages of this Society, that really I should have but little to say, if passing events, and especially those which occurred during the year now just closed, did not suggest some on which I could say a few words. And in the first place, gentlemen of the Society, allow me to congratulate you on the whole current of events with reference to this Society.

It is not my purpose to anticipate what will be disclosed by the reading of the annual report of the secretary, but I may be allowed to say, that all the operations of the Society during the past year have been unusually successful, and have been greatly blessed. The number of emigrants exported to Africa has been greater than in any preceding year, if my information be correct. The amount of money received by voluntary contributions of those who favour this Society in its objects has been greater than in any preceding year; and I think I do not mistake the signs of the times when I say, that a degree of public interest has been excited in favour of this Society in all parts of the Union, to an extent greater than has heretofore been witnessed. Indeed, gentlemen, some of the very causes which have led to great agitation, to uncommon excitement, and serious apprehension with regard to the institutions of our country—those very causes themselves, a happy termination of which I hope has taken place, have conduced to the advantage of the Society; for, if I am not misinformed, that portion of the general community from which we experience the greatest opposition to the proceedings and the success of this Society—I mean the Abolitionists of the North—unless I am mistaken, at least all the moderate and rational portion of them, have become satisfied that to agitate the subject of slavery, with a view to the extinction of slavery within the bosoms of the various States in which it is tolerated and exists by law, is utterly fruitless and a failed effort; that a further agitation of the subject neither benefits those whose interests are intended to be advanced, nor benefits the country at large; that it is a complete failure, and that their exertions hereafter, if governed by motives of humanity and benevolence, should be directed, not to the unattainable object of the extinction of slavery within the States, but for the great purpose of colonization, which, in its ultimate consequences, will lead to the final separation of the 2 classes of persons who now inhabit this country. [Applause.]

There are circumstances of interest, and of great interest, to the Society, which have transpired in the course of the past year. The

first which I would advert to, is the proposition submitted to the House of Representatives during the last session, and renewed at this, to establish, under the sanction and auspices of the Government, a line of steam-packets, which, plying regularly between The United States and Africa, and other points, shall furnish the means of transporting emigrants from this continent to Africa. It is not the mere submission of such a proposition, but a degree of consequence and spirit which I think I am authorized to say, will succeed, whether it shall fail or pass during the present session. If it fail I shall never despair; for, gentlemen, despair is a word not in the vocabulary of the Colonization Society. [Applause.] We resort to no formidable, violent measures, in the pursuit of our object. Mild, temperate, moderate, exciting no apprehensions, it appeals to Heaven for the continuation of the success and support which it has hitherto deigned to extend to us. These are our principles, and that they will be successful is beyond all human doubt. The proposition for a line of steamers, I repeat, has been renewed, and I am happy to say, what is generally known to the community of Washington, that it is in the hands of a gentleman from one of the slave-holding States (Mr. Stanton, of Tennessee), who has pursued it with an earnestness and zeal which entitle him to success—entitle him, at all events, to the thanks of his country for the efforts which he has already made.

Colonization is a common object for the common benefit of the whole country. It has nothing sectional in it, nothing selfish in its aims; it does not seek to disturb or to convulse society; it does not deal with property or the right of property; it proposes to concern itself with those who, being already free, will or will not go to the shores of Africa, to enjoy social, political, and moral advantages which they cannot enjoy in this country. Having a common object for a common benefit, it ought to be prosecuted by common means, for those who are to be beneficiaires of the colonies. And I believe that it will be found, in looking into the powers of the Government, either directly or indirectly, that the Constitution of The United States grants ample authority for the performance of this common duty for the common benefit of the country.

I congratulate you, Gentlemen, on the presentation of such a proposition, and I hope that now, or at some future session, I shall be able to congratulate you on the success of the proposition.

There are circumstances which have occurred during the past year which deserve a passing notice; and, among them, not the least important, under the authority and instruction of this Government, a competent agent (the Rev. R. R. Gurley) was sent to Africa for the purpose of collecting statistics and other information connected with the interests of this Society,—a man well known to us, faithful

to the cause, zealous, able, and indefatigable in its support. After going to Africa, and remaining there several months, he returned, and the result of his labours, and the amount of information collected during his absence, is contained in a volume which has been printed under the authority of the Senate, and deserves general diffusion. The result is, nothing but hope and encouragement are held out for the prospects of the colony of Liberia, and others on the coast. I trust that to the widest extent this paper may be circulated, for, wherever read, the conviction which is common to the whole country will be shared in, that colonization is not an idle, visionary, and impracticable scheme, but one full of encouragement and benefit. [Applause.]

Another circumstance deserves a moment's notice, and will, I trust, command the very particular attention of the Board of Managers. I allude to the death of an individual of vast estates in the city of New Orleans, who has made a bequest to this Society of 25,000 dollars per annum, during a period of 40 years. Mr. McDonogh was a member of this Society, and was personally known to me.

We have seen in the newspapers evidence of an attempt, on the part of those who are interested in the destruction of the will, to destroy it, on the ground of legal invalidity. I have not examined the subject with that care which enables me to pronounce an opinion professionally on the question; but I have looked a little into it, and I am convinced that, whatever may be the fate of other parties in the will, that portion of it which contains a bequest to this Society will be sustained and upheld by the courts of the country. If so, it will add vastly to the means of the Society in the prosecution of its great object.

I will not detain you longer on the subject of any special or particular circumstances or occurrence during the past year. But you will allow me to advert for a moment or two to the great object which engages our thoughts and anxiety.

I have said, and recently, on another occasion, that I sincerely believe that, of all the projects of the existing age, the scheme of colonization of the African race on the shores of Africa is the greatest.

In saying this, I did not look into its present condition. I do not look at what it may be 10, 15, or 20 years hence; but I endeavoured to throw myself in advance, and look into what it will be 50 or 100 years hence; what it will be when the continent of America shall have discharged itself mainly of the greater portion of the African race, and shall have returned them back to the continent of Africa, the original home of their ancestors, and shall have rewarded Africa for the injuries which her sons have suffered, by

sending back to their original country a race of men endowed with all the attributes of civilization, Christianity, the arts, and all the benefits, in fact, which belong to our own race. In making this statement, I will, in order to prevent misconception or misapprehension, state more specifically what I mean. This Society has, with consistency, protested, from its origin to the present time, that it has not, does not, and never will, interfere with the subject of slavery as it exists in the several States. It is no part of its object or office to do that. But we know that the number of free Blacks in this country amount, in all probability, to not less than about half a million, and that it is constantly increasing annually by natural causes and voluntary emancipation on the part of slaveholders. We know, I repeat, that this number will continue to augment from this time forward, unless it is lessened by the exportation of a portion of the race of Africa. But this is not all I mean. I believe, and I have as much confidence in the belief as I have of my own existence, that the day will come—distant, very far, perhaps, from the present time—but the day will come when, by voluntary emancipation and the acts of individuals and States themselves, without usurpation of power by the general Government, there will be an end to slavery. Slavery may be terminated in different modes. It may by law; it may by the sword; it may by the operation of natural causes; but it is by the operation of natural causes to which I look for its ultimate extinction. As to the sword, nobody, I trust, will think of the employment of that to put an end to slavery. As to law—I have had some experience in my own State, where the people were much agitated the year before last, and to whose decisions I bow, I believe, and that reconciled me to the decision of my State, although contrary to my wishes, that no safe method of gradual emancipation, by the operation of law, can terminate the existence of slavery much sooner, if any sooner, than the operation of natural causes. But I may be asked what I mean by the operation of natural causes. Some 20 years ago, I went more at large into this subject than now; I had gone into the *modus operandi* of the natural causes by which, in a long time, slavery may be extinguished. There will be an extinction of slavery whenever the density of the population of The United States shall be so great that free labour can be procured by those who can command labour at a cheaper rate and on less onerous conditions than slave-labour can be commanded. Although I cannot fix the time, I can state the causes and circumstances which will occur to induce a voluntary emancipation of slaves. It is not to be by the usurped and legal action of the General Government, nor of other Governments, but by the voluntary consent of States and individuals, who alone are interested in the subject of slavery, and have the exclusive right to

determine when and how it shall cease to exist. Whenever the population shall be three or four times as great as it is—when we measure time, not by individuals, or the particular lives of persons, but by the period of national existence—when the time arrives when the population will be three or four times as great as it now is—when the prices of labour, the wages of manual labour, shall be so reduced that it will be too burdensome and expensive on the part of owners of slaves to raise them for the sake of the labour they can perform, then it will become the interest of the slave States and slave-holders to resort to another fund than that which is afforded by slaves, and that will be the termination of slavery. [Applause.] I am not about to specify the time when this will go into operation, but I would repress, if I could, the impatience of those who are not willing to await the slow operation of means and instrumentalities which God and nature furnish, to complete the great purposes of their wisdom.

I would ask them to suppress their impatience, and ask them to place more reliance on the wisdom and providence of God than on their own circumscribed reason. What, in a national point of view, is a century to a nation? It took 2 centuries and more to bring from the shores of Africa her sons, the descendants of whom are now in slavery in The United States. It may take 2 centuries to transport their descendants to such an extent as not to create apprehension as to the few who may remain. And what, I repeat again, is this in the great working of our own existence and the administration of the affairs of this world, and the Providence which directs, controls, and governs them? Gentlemen, I have thought, and I have said, that if there ever was a scheme presented to the consideration and acceptance of men, which, in all its parts, analysed and reduced to all its elements, presents nothing but commendation, it is the scheme of African colonization. [Applause.]

Let us look at it for a moment, in rapid detail. With regard to the free people of colour, do you not all know (I wish to say nothing but what is warranted by daily experience) that it is not their fault that they are a degraded set? It is not their fault that they are more addicted to crime and dissolute manners than any other portion of the population of The United States. It is the inevitable result of the law of their condition. The whites themselves, if placed in the condition of the free people of colour, would, like them, be the receptacles of vice, and exposed to the perpetration of crime in the same way as they are. It is inevitable from their condition. Look abroad—look at the annals of criminal jurisprudence in our country—and in this very city, at the daily reports of trials. Who are the subjects of them? A vast majority are free persons of colour, although their number, in comparison with the total

aggregate of whites, is not one-fourth; and look abroad at the penitentiaries and the criminal jurisprudence of all the country, and it will be seen that, of the proportion of those who commit crimes, the free people of colour is infinitely greater than that of any other class which compose our population.

If this is the result in the moral, political, and social condition of The United States, will they not be benefited by going to a country where they will no longer be subject to the afflicting causes of vice and dissipation? Will they not be benefited by going to Africa? Why, gentlemen, it is no longer a question to be solved. The fact speaks out for itself. On the African coast there already exists a community of blacks. The Government has established schools, makes laws, promulgates state papers, and in all respects will advantageously compare with any of the States of this Union. In the colonization of the free people of colour, therefore, nothing but good, unmixed good, can result from the separation of the two races, who never can (in spite of all the philosophers of Europe and America, who despise our feelings and prejudices) be incorporated into the community, and placed on an equal footing with the white class.

I never believed that it was intended it should be so. If we are told, in respect to one of the most intimate and important relations of human life—if we are told, as is always pronounced in the performance of the marriage ceremony, that “those whom God has united let no man dare put asunder,”—I think I may, with equal propriety, say “those whom God has kept asunder by their physical condition, intellects, and by their nature—by circumstances not fitting for me here to declare—let it not be attempted by any presumptuous power to unite those whom God has kept asunder!” [Applause.]

And what else? Will not the white labourers of the north be especially benefited if the black portion of the labouring community be sent to Africa, and be relieved from all competition with them? Go to the cities, and you will see struggles between white and black labourers. You will see, in labour itself, an indisposition on the part of the white man to mix with and work with the black. In the business of driving a dray, and in many other branches of service in cities, the black is trodden down to a certain extent by the superior power of the white man. The white men of the North and the South will be benefited; the slaves of the South will be benefited. We all know what corrupting influences are exercised over the slave population by the dissolute free people of labour, who lead off and seduce them. Intoxicating liquors are sold to them, and they are induced to commit acts of petty larceny against their masters. The white men of the North, the white men of the South, the free blacks,

the slaves of the South—all will be benefited by the separation which is proposed ultimately to be effected by the Colonization Society. And, gentlemen, if we quit our country and go to that, how much is there to animate the Christian bosom, and encourage us in the prosecution of this great scheme in which we are engaged? There is a whole continent, with millions of inhabitants in a state of utter barbarism. The very people of colour, then, sent thither, will, in the end—not in 2 or 3 years, but ultimately, as surely as civilization and Christianity are destined to triumph over barbarism—be their deliverers; and as soon as the truth is seen will the colonists redeem her from her misfortunes.

But it is not only civilization and religion which will be extended. Commerce, too, which is at the same time cause and effect in the great work of the civilization of the human race, will be greatly increased between other portions of the globe and Africa, and especially in articles which are becoming scarce in other quarters. They who have looked at the powers of production must have perceived just cause to apprehend that at no distant day there will be a diminution in the supply of coffee; and the consequence will be, the consumption must cease, or acquired at a vast expense. I have tasted of the coffee of Java, Mocao, and Rio Janeiro, and I declare to you that the African coffee is equal to any raised in Java, or Mocao, or Rio Janeiro. Commerce, then, will be increased, not in that article alone, but in a variety of articles. I learn that it has already augmented, to a great extent, in a very few years, and I further learn that men are engaged in the commerce of Africa, who are unwilling to disclose the extent of their gain in commerce with that country. All classes and interests are to be benefited. Tell me, ye mad and ultra abolitionists—tell me what interest and what portion of the population of the country will be excluded by this scheme of colonization? [Applause.]

Gentlemen, we are reproached sometimes for having done so little during the period of our operations, although the Society has been in existence but 34 years, and only 30 years have elapsed since the first emigrants were sent over. So far from being reproachable for that, or seeing anything to discourage or dissuade us from our object, it is one of the most fortunate circumstances. If we had thrown 15,000 or 20,000 persons a year on the coast of Africa, it would have been impossible to provide sustenance for them. They would have perished by famine, and there would have been exhibited scenes of distress similar to those of some of the countries of Europe; but by slow, gradual, cautious means, feeling our way as we went, doing nothing precipitately, carrying out persons of good character, making establishments for them, laying the foundation of future and accelerated emigration, we have done precisely what we ought to have

done, even if we had had hundreds of thousands of tons to export them. But the time has now arrived when a considerable acceleration should be given to the transportation of emigrants.

I have heard (the friend in my eye is better informed than any other person) that if the Society had adequate means of tonnage and money, he would stake his existence on the fact that 10,000 free persons of colour would go to Africa during the current year. I am not prepared to say whether the number would not be greater; but we must increase the number considerably, and go on from year to year as subsistence is raised in Africa, and rendering comfortable the emigrants during their first year in that country.

This is the course things ought to take. In the meantime, if Government think proper, there is a means, by steam-packet, or the employment of the navy, to assist in the article which it is the most difficult for the Society to command—the facilities for the transportation of emigrants, of vast importance to the institution. Go on and increase the colonies, multiply the means, and in the course of a few years the colonies will have so increased, and commerce so augmented, that by the mere commercial marine which will be plying between the shores of that continent and this, a vast number will be carried out at less expense than at the present time.

I have been considering the institution with regard to the great object which led to its formation, but I should not have performed my whole duty if I limited my observations to a single point. Another great subject is connected with colonization, and only less important than the objects which have been achieved by successful colonization on the western shores of Africa. I allude to the suppression of Slave Trade. [Applause.] What is the best means? This has been a desideratum with statesmen of Europe and of our own country. They thought that the best mode of suppressing the Slave Trade was by keeping up a constant armed squadron on the western coast of Africa, to prevent the egress of slavers from that continent to be brought to this. Squadrons have been there for a number of years. By our Treaty with England, the Ashburton or Washington Treaty, we undertook to keep up a squadron with not less than 80 guns, to assist her in the object of suppressing the Slave Trade. It was to endure for 5 years. At the end of that time either of the Contracting Parties was left at liberty to put an end to the squadrons. It has so happened that in spite of all the exertions of the French, English, and American squadrons on the coast of Africa the Slave Trade has been prosecuted to a greater extent, perhaps, than prior to any other suppressing efforts. Documents laid before the Senate show that in 4 years 173,000 Africans were carried to the single Province of Rio Janeiro, without any account of the number carried to other provinces of the

Brazilian Empire, and others were carried, we know, to the Island of Cuba. I believe that the Emperor of Brazil, with Great Britain, consents to put an end to the Slave Trade. And so did Spain, but after the Treaty between that Government and Great Britain, the Slave Trade was prosecuted with undiminished vigour in the Island of Cuba, the real or imaginary interests of Brazil induce her desire to import slaves. One costs 8 or 10 dollars in Africa, and in Brazil is worth some hundreds of dollars. As a friend of mine said, if horses in Virginia cost 5 dollars a-piece, and in New York sell for 100, do you think it would be proper to employ any particular means to prevent them from going there? And if slaves can be purchased in Africa at one-thirtieth the part they sell for in Brazil (and notwithstanding the Treaty which the Emperor of Brazil entered into), it will be impossible to suppress it by any squadron.

We have solved a great and interesting question as to the mode by which the Slave Trade should be suppressed—and that is by colonization, 350 miles of the western coast of Africa are now occupied by the colonists sent out by this country; and in the entire extent of that coast there is not a solitary slave-depôt; not a solitary slave is exported from that 350 miles of coast to any other part of the world. And all this is the result of the labours of the Society. Colonization is the only certain, sure, and effectual remedy for the suppression of the Slave Trade.

If Her Majesty Victoria were present, I would appeal to Her. I see that we are honoured on this occasion by the President of The United States. [Applause.] If I could persuade her and him to employ the whole amount expended by the 2 nations in keeping up the African squadrons (not less than 2,000,000 or 3,000,000 per annum), if I could persuade Her Majesty and him, instead of keeping up these squadrons to apply the money to colonization, extending the settlements until the whole coast would be occupied by an uninterrupted line of colonies, there would be a vast saving of money, and what is not of less importance, a vast saving of human life.

Ah! we all know the inhospitable coast—not in respect to the black race, for our colonists have suffered less than those of Jamestown and Plymouth in the space of 30 years—but inhospitable to the white man's constitution, and a grave almost to him.

If we could diminish the number of deaths, and appropriate the money saved, by removing the squadrons, to the scheme of colonization; as soon as that could be done, as soon as the Western Coast could be lined with colonies, all mankind would exult in the glorious termination, and the complete suppression of the most odious and inhuman traffic, which all are so anxious to witness.

It was not my purpose to say so much. I am not very well,

I feel perfectly conscious that I have occupied too much of your time, and I hope that the secretary will now read the report of the Society. [Applause.]

VENEZUELA.

No. 577.—Mr. Belford Wilson to Visct. Palmerston.—(Rec. May 22.)
 (Extract.) *Caracas, April 13, 1850.*

HEREWITH I have the honour of inclosing to your Lordship, copies of a notice dated the 30th ultimo, and published in the 270th number of "El Republicano," the most influential journal at present at Caracas, which, in the execution of the instructions contained in your Lordship's despatch to Mr. J. Riddel, of the 9th of February, I have addressed to British subjects resident in Venezuela, calling again their attention to the fact that, save in the exceptional cases described in the Act 6 & 7 Vic., cap. 98, they incur guilt by their being engaged in slave-dealings in Venezuela; and I have expressly included, under the general denomination of slaves, "manumisos" and "apprentices," that is, children born of a female slave subsequent to November, 1821, who, as I have frequently explained in my Slave Trade despatches, are practically treated as slaves until they attain the age of 25.

I have likewise considered to be included within this prohibition, Guayana Indians, "Indios Guaraúnos," "Concertados," or "Parias de Upata," for as much as they clearly come under the character of "pawns," or persons intended to be dealt with as slaves, as your Lordship will perceive by the inclosed copies, with translated extracts, from an official report published in the 979th, 980th, and 981st number of the official gazette, made by M. Andres Eusebio Level, visitor on the part of this Government to the Indian missions in Guayana.

M. Level unequivocally reports that these Indians are, in the name of the Venezuelan Government, and by the authority of the law, publicly bought and sold as pawns, and treated as slaves.

I beg likewise to forward herewith a copy of a despatch which I have addressed to Mr. Vice-Consul Mathison on the 11th instant, desiring him to state whether any British subjects in Guayana hold or possess Indians under the circumstances described by M. Level; and finally, I herewith send a copy of a circular that, under date of the 9th instant, I have addressed to the British Vice-Consuls in Venezuela, inclosing, for their information and guidance, copies of my public notice of the 30th ultimo.

Viscount Palmerston, G.C.B. BELFORD HINTON WILSON.

(*Inclosure 1.*)—*Notice to British Subjects resident in Venezuela.*

British Legation, Caracas, March 30, 1850.

HER Majesty's Government have deemed it right that the special attention of Her Majesty's subjects resident in Venezuela should be again called to the Act 6 and 7 Victoria, cap. 98, intituled "An Act for the more effectual suppression of the Slave Trade," an abstract of which was given in a public notice, issued from this Legation, and inserted on the 25th of March, 1844, in the 485th number of "El Liberal," at the time an influential journal published in this capital.

Accordingly, in the fulfilment of instructions from Viscount Palmerston, G.C.B., Her Majesty's Principal Secretary of State for Foreign Affairs, dated the 9th ultimo, herewith are subjoined for the information and guidance of Her Majesty's subjects resident at Venezuela. 1st. A copy of a circular addressed on the 31st of December, 1843, by the Earl of Aberdeen, K.T., to Her Majesty's Consuls abroad. 2nd. The material substance of the afore-mentioned Act 6 and 7 Vic., cap. 98, so far as relates to possible misdemeanours and offences against that Act by British subjects in Venezuela, and of the 5th George IV, cap. 113, the provisions of which have by the before-recited Act 6 and 7 Vic., cap. 98, been, from and after the time it came into operation, namely, the 1st of November, 1843, made applicable to British subjects, wheresoever residing or being, and whether within the dominions of the British Crown or of any foreign country.

The attention of British subjects is likewise called to the public notices issued from this Legation, dated the 14th December, 1846, and 28th of July, 1847, inserted respectively in the 630th and 633rd numbers of "El Liberal," and the 662nd, 663rd, and 669th numbers of "El Liberal," announcing in the former, that Her Majesty's Government have prohibited all British functionaries residing in slave-holding countries from administering to the estates of deceased persons in which slaves form a part of the property of the deceased; and in the latter, that the proper law officers of the Crown having been consulted in the matter, they have reported, that a British subject in a foreign country renders himself liable to punishment under the statute of the 6 and 7 Vic., cap. 98, either by receiving and becoming owner of slaves in payment of debts due to him; or by selling such slaves and exchanging them for the money in lieu of which they were received; and stating that this opinion applies equally to the case of slaves seized in execution for debts due to a British subject.

British subjects will therefore distinctly understand that, save in the exceptional cases described in the Acts 6 and 7 Vic., cap. 98, they incur guilt by purchasing, under any pretext, bartering, trans-

ferring, exchanging, selling, employing, hiring, holding, or contracting for their own use or otherwise in Venezuela, domestic or other slaves, or the offspring of a female slave, known in Venezuela under the denomination of "manumisos" and "aprendices," and practically treated as slaves until they attain the age of 25; or Guayana Indians, "Indios Guaraunos," "Concertados," or "Parias de Upata," described as slaves by M. Andres Eusebio Level, in the 979th and 980th numbers of the official Gazette of Venezuela.

A disposition having been evinced to deny the right of Her Majesty's subjects to the protection of their Government, and to claim the privileges secured to them under the Treaties with the several States within whose territories slavery exists, upon the plea that from the fact of being holders or hirers of slave-property they have forfeited the protection of Her Majesty's Government in cases of their mal-treatment in those States, British subjects in Venezuela are hereby informed that such a pretension is untenable and has not been acquiesced in by Her Majesty's Government, but that misdemeanours and offences committed by them in any foreign country against the before-mentioned British Acts are, except in places where the British Admiral has jurisdiction, to be taken cognizance of, inquired into, tried and determined by the Court of Queen's Bench; and that for the more ready trial and punishment of such offenders, evidence of their guilt may be taken abroad and transmitted to that court.

Copies of the British Acts of Parliament upon the above subjects may be read, and copies thereof taken by any British subject, at Her Majesty's Legation at Caracas, or at the British Vice-Consulate at La Guaira, on any day, excepting Sundays, Good Friday, and Christmas-day.

God save the Queen!

BELFORD HINTON WILSON,

Her Britannic Majesty's Chargé d'Affaires to Venezuela.

[Copy of a circular, of December 31, 1843, to Her Majesty's Consuls abroad.]

[Material substance of Acts 6 and 7 Vic., cap. 98, and of 5 George IV, cap. 113, so far as relates to possible misdemeanours and offences by British subjects in Venezuela against those Acts.]

(Inclosure 2.)—*Mr. Belford Wilson to Vice-Consul Mathison.*
(Extract.)

Caracas, April 11, 1850.

I HAVE to request that you will state to me whether any British subjects in Guayana hold or possess Guayana Indians, "Indios Guaraunos," "Concertados," and "Parias de Upata," under the

circumstances described by M. Andres Eusebio Level, in his official report to the Venezuelan Government, published in the 979th, 980th, and 981st numbers of the official Gazette of Venezuela.

If his statements be correct, and as the Venezuelan Government have allowed them to be published officially in the official Gazette, they at least can give credit to them; it is clear that such Indians are no more nor less than slaves, and as such are publicly treated, bought and sold.

A British subject would, consequently, by purchasing, bartering, transferring, exchanging, selling, employing, hiring, holding, or contracting for these Indians, or "pawns," render himself liable to punishment under the Statute of 6 & 7 Vict., cap. 98; and I have accordingly so warned them in my public notice of the 30th ultimo.

K. Mathison, Esq.

BELFORD HINTON WILSON.

(Inclosure 2.)—Circular to the British Vice-Consuls in Venezuela.

SIR,

Caracas, April 9, 1850.

HEREWITH I have to inclose, for the information and guidance of yourself, and of all British subjects resident in Venezuela, a copy of a public notice which I have issued on the 30th ultimo, warning British subjects "that, save in the exceptional cases described in the Act 6 & 7 Vict., cap. 98, they incur guilt by purchasing, under any pretext, bartering, transferring, exchanging, selling, employing, hiring, holding, or contracting, for their own use or otherwise, in Venezuela, domestic or other slaves, or the offspring of a female slave, known in Venezuela under the denomination of 'Manumisos' and 'Aprendices,' and practically treated as slaves until they attain the age of 25, or Guayana Indians, 'Indios Guaraúnos,' 'Concertados,' or 'Parias de Upata,' described as slaves by M. Andres Eusebio Level, in the 979th and 980th numbers of the official Gazette of Venezuela."

I have to request that you will cause a copy of this notice to be hung up in some conspicuous place in the Vice-Consulate.

I have, &c.

BELFORD HINTON WILSON.

No. 582.—Mr. Belford Wilson to Vis^t. Palmerston.—(Rec. Sept. 19.)

MY LORD,

Caracas, August 24, 1850.

WITH reference to my despatches of the 7th of May and of the 19th ultimo, respecting the freedom obtained for Louisa and her 3 sons, unduly held in slavery in Venezuela, herewith I have the honour of inclosing copies of a further correspondence which has passed between Mr. Vice-Consul McWhirter and myself upon that subject, and from which it will appear that General Beluche, in

concurrence with my suggestions, has signed with Mr. McWhirter a formal memorandum declaratory of the freedom of Louisa's 2 sons, Marco and Damaso ; thus putting it out of the power of any person hereafter to set up a claim in opposition to their right of freedom.

Under all the circumstances, I trust your Lordship will approve of the arrangement which by my direction has been concluded by Mr. Vice-Consul McWhirter with General Beluche for effecting this immediate and amicable settlement of the case ; for if it had been carried before a court of justice, much vexation, expense and delay would have been incurred ; while in the present state of the administration of justice, more especially as respects foreigners, the issue would have been most doubtful. I have, &c.

Viscount Palmerston, G.C.B. BELFORD HINTON WILSON.

Puerto Cabello, August 8, 1850.

MEMORANDUM entered into between General Renato Beluche and John McWhirter, Her Britannic Majesty's Vice-Consul, respecting the boys Marco and Damaso, sons of a free British subject called Louisa, viz. :

That he, General Beluche, having ascertained that the said boys, Marco and Damaso, hitherto erroneously considered as manumisos, were free persons, for as much as their mother was at the time of their birth, although unknown to him, a free British subject, he, General Beluche, at once renounced all claim or right over them, considering and declaring them to be free persons ; it being moreover understood that in consideration of the circumstances of the case, no claim would be made or supported by the said John McWhirter on behalf of the mother of the 2 boys, for any compensation for their services during the time they were held by General Beluche as manumisos. And that in like manner he, the said General Beluche, would never put forth or allow to be put forth on his behalf, any claim for compensation for the expenses incurred by him in their care, maintenance, clothing, education, or in any respect whatever.

In testimony whereof we the said General Renato Beluche and John McWhirter have signed this memorandum in the presence of witnesses.

Witnesses :

F. KERDEL.

FERNANDO OLAVARIA.

RENATO BELUCHE.

J. McWHIRTER.

No. 590.—Viscount Palmerston to Mr. Belford Wilson.

SIR,

Foreign Office, December 2, 1850.

WITH reference to your despatch dated the 19th of last July, I transmit to you herewith a gold medal, bearing the portrait of Her

Majesty the Queen, which Her Majesty's Government desire to present to General Beluche, as an acknowledgment of his humanity in having generously restored to their rightful liberty 2 children of a woman named Louisa, a British subject born at Nassau, in the island of New Providence, whose case is reported in your despatch dated the 7th of May.

I have to instruct you to deliver this medal to the Venezuelan Minister for Foreign Affairs, and to request him to cause it to be forwarded to General Beluche.

I am, &c.

B. H. Wilson, Esq.

PALMERSTON.

No. 597.—Mr. Belford Wilson to Visc'. Palmerston.—(Rec. Feb. 6.)

MY LORD,

Caracas, January 7, 1851.

WITH reference to my despatch of the 8th of October last year, and to your Lordship's despatch of the 8th of the following month of November, herewith I have the honour of inclosing to your Lordship copy of a further note which I have addressed to the Venezuelan Minister for Foreign Affairs, renewing my request that efficacious measures be adopted by the Venezuelan Government for putting a stop to the practice prevalent at Guiria of purchasing and reducing to slavery British children kidnapped at Trinidad, and thence brought over to Guiria for sale; and likewise for taking means to procure the delivery up of such British children as may be still held in slavery in Venezuela.

I have, &c.

Viscount Palmerston, G.C.B. BELFORD HINTON WILSON.

(Inclosure.)—Mr. Belford Wilson to Señor Lecuna.

Caracas, January 7, 1851.

WITH reference to the note which on the 28th of September of last year, the Undersigned, Her Britannic Majesty's Chargé d'Affaires, had the honour of addressing to M. Vicente Lecuna, Secretary of State for Foreign Affairs of Venezuela, and to the answer returned thereto by M. Lecuna on the 16th of the following month of October, respecting the sale and purchase at Guiria of British children kidnapped at Trinidad, and brought to Venezuela; the Undersigned has received a despatch from Viscount Palmerston, dated the 8th of November, in which his Lordship remarks that a letter had been received at the British Foreign Office from the Colonial Office, inclosing a copy of a communication which was addressed to the Undersigned by the Governor of Trinidad on the 10th of September last year, on the subject of a boy named George Huggins, who had been kidnapped in Trinidad, and thence carried away to Guiria in Venezuela, where he was sold as a slave, though,

as it appears, he was afterwards restored to his mother, on the repayment by her of his purchase-money.

The Undersigned has accordingly been instructed to request the Venezuelan Government to take such steps as may be in its power to prevent such practices in future, and to say, that as Her Majesty's Government cannot permit any British subject to be held anywhere in slavery, the Venezuelan Government will be required to deliver up any British subject who may hereafter be so detained in Venezuela; and Her Majesty's Government will expect that the guilty parties in such a transaction may be brought to punishment, if there is any law by which they may be punishable; and that instead of any money being paid for the restoration of a free British subject to liberty, an adequate compensation should be made to such British subject for a grievous injury sustained.

Since writing this instruction, Lord Palmerston will have received the Undersigned's report of the transaction, including copies of his correspondence with M. Lecuna, and doubtless additional instructions to renew his demands for the immediate liberation of other free British subjects, believed to have been sold into slavery, will be issued to him.

The Undersigned has been informed that 2 or 3 more children besides Huggins, having been discovered at Guiria in a state of slavery, having, through the exertions of their relatives or friends been restored to freedom and to their families at Trinidad; but as so far back as the 16th of October of last year, M. Lecuna pledged his Government to cause a searching and *bonâ fide* investigation to be made into the practice of purchasing and reducing to slavery at Guiria, free British children kidnapped at Trinidad, in order that the guilty parties may be prosecuted in accordance with law, the Undersigned would be glad to know what steps, if any, have, in reality been taken by the Governor of Cumaná and other competent authorities of the province, in the execution of these instructions, as also their result.

It would appear that there is still another British child kidnapped from Trinidad, and held in slavery at Guiria, whom it has not as yet been able to find; accordingly, the Undersigned trusts that the Venezuelan Government will renew its orders upon this subject, and that those orders will be conceived in such terms as to satisfy the local authorities that the Government not only does not countenance and has not countenanced, but will not tolerate, this infamous traffic, nor consent to its orders for its suppression being evaded and rendered a dead letter by any remissness or disregard of them on the part of the local authorities.

I have, &c.

Señor Lecuna.

BELFORD HINTON WILSON.

No. 599.—*Mr. Belford Wilson to Visc'. Palmerston.*—(*Rec. Mar. 9.*)
(Extract.) *Caracas, January 29, 1851.*

I HAVE the honour to acknowledge the receipt of your Lordship's despatch of the 2nd of December of last year, as well as the gold medal therewith sent.

In execution of your Lordship's instructions, I have, on the 10th instant, delivered the medal to M. Vicente Lecuna, at the time Venezuelan Minister for Foreign Affairs, and have requested him to cause it to be forwarded to General Beluche, as an acknowledgment, on the part of the British Government, of his humanity in having generously restored to their rightful liberty 2 children of Louisa, a British subject.

Your Lordship will perceive, by the answer returned on the 28th instant to that request, by M. Estevan Herrera, the present Acting Minister for Foreign Affairs, copies and translation of which, as well as of my note, are herewith forwarded, that the permission of Congress is necessary to enable General Beluche to accept of this medal; and, accordingly, that the medal, with translations of my communication concerning it, have been forwarded to Congress, with an expression of a hope, which the Executive Government entertain, that the Legislature will cordially acquiesce in the desires of Her Majesty's Government in this matter.

Herewith I beg to inclose copy of a letter which I have addressed to General Beluche, communicating to him the desire of Her Majesty's Government to present him with a medal, and also a copy and translation of his reply, expressing his gratitude for this act of benevolence.

Viscount Palmerston, G.C.B. BELFORD HINTON WILSON.

(*Inclosure 1.*)—*Mr. Belford Wilson to Señor Lecuna.*

Caracas, January 10, 1851.

IN the course of the year 1849, a woman named Louisa, a British subject, born at Nassau, in the Island of New Providence, represented to Mr. Kenneth Mathison, British Vice-Consul at Bolivar, that although a free British subject, she since 1822 had been wrongfully held in slavery, first in the Republic of New Granada, and subsequently in that of Venezuela.

After a full, patient, and dispassionate inquiry into the circumstances of this case, it was duly substantiated by incontestable evidence, that Louisa had in fact been carried away from Nassau, and unduly imported into Carthegena, Republic of New Granada, with the character of a slave.

That General Beluche believing her to be a slave had there purchased her, and afterwards caused her to be imported as such into Venezuela.

That during the time Louisa was in his service she had given birth to 2 illegitimate children, respectively called Marcos and Damaso, who, under the assumption of their mother being legally a slave, had, in accordance with the provisions of the Venezuelan Law of Manumission, been brought up and considered by General Beluche as manumisos, by whom, however, it is but just to state, they had been uniformly well treated.

It furthermore appeared that Louisa having been sold by General Beluche, subsequently passed into the possession of several masters, and that she had given birth to a third child, who was held likewise as a manumiso by her then owner, resident at Bolivar.

In this stage of the proceedings, and in order to save further vexation and expense of litigation, it was amicably agreed, with the privity and rightful action of the competent Venezuelan authority, between Mr. Vice-Consul Mathison and the last owner but one of Louisa, that she and her son then with her should at once be restored to their rightful liberty, such owner returning to their present possessor the money he had paid for them; and Mr. Mathison undertaking on behalf of Louisa, to forego her right to compensation for the period she and her son had been wrongfully retained in slavery by them.

Under these circumstances the Undersigned approved of this arrangement, and entirely so of Mr. Vice-Consul Mathison's humane and successful exertions to procure the restoration to their rightful freedom of Louisa and her child.

In like manner, Her Majesty's Government approved of Mr. Mathison's proceedings in this case.

It then became the duty of the Undersigned to require from General Beluche the restoration to their rightful liberty of Louisa's 2 other sons, Marcos and Damaso. He accordingly entered into a friendly and semi-official correspondence with him, partly through the channel of Mr. Vice-Consul McWhirter, for effecting a similar arrangement in respect to these 2 children, as had been agreed to at Bolivar as regards their mother and her other child.

In a true spirit of philanthropy, so becoming a gallant companion of the immortal Bolivar, and worthy of a veteran of the war of Columbian Independence, General Beluche consented to this arrangement, from the moment he satisfied himself that Marcos and Damaso were rightfully entitled to their liberty.

In communicating this result to Her Majesty's Government, the Undersigned gladly took advantage of the opportunity to call attention to the humane and generous conduct displayed by General Beluche on this occasion.

Therefore, as an acknowledgment of his humanity in having generously restored to their rightful liberty these 2 children of a

British subject, Her Majesty's Government desire to present to General Beluche a gold medal with an appropriate inscription commemorating this transaction, and bearing the portrait of Her Majesty Queen Victoria.

The Undersigned has been instructed to deliver this medal to the Secretary of State for Foreign Affairs of Venezuela, and to request him to cause it to be forwarded to General Beluche.

In now executing this instruction, the Undersigned begs to transmit to M. Lecuna copies of a private letter and its inclosure, which on the 9th instant he has himself addressed to General Beluche, communicating to him the fact of the honourable record of his humanity and generosity, which it is the desire of the British Government to present to him through the medium of the Secretary of State for Foreign Affairs of Venezuela, and consequently with the sanction and approbation of the Government of the Republic of which he is a distinguished and honoured citizen.

I have, &c.

Señor Lecuna.

BELFORD HINTON WILSON.

(*Inclosure 2.*)—*Señor Herrera to Mr. Belford Wilson.*

(Translation.)

Caracas, January 28, 1851.

THE Undersigned, Secretary of State for Foreign Affairs, had the honour to lay before his Excellency the Vice-President of the Republic, charged with the Executive Power, Her Britannic Majesty's Chargé d'Affaires' note with its inclosures of the 9th instant, respecting the medal which Her Britannic Majesty's Government desire to present to General Beluche as an acknowledgment of the humanity and generosity displayed by him in spontaneously restoring to liberty 2 sons of a British subject called Louisa, who were born during the time Louisa was in his service as a slave, and upon his ascertaining that she was not rightfully held in slavery.

The permission of Congress being necessary for the acceptance of this medal, the Government has transmitted it to that body, together with Spanish versions of the aforesaid communications, and expressing the hope which the Government entertains, that it will cheerfully concur in the wishes of Her Majesty's Government, which, actuated by the most generous sentiments of philanthropy, to the practice of which the British nation is in a high degree indebted for the welfare and greatness it has attained, has desired to afford upon this occasion to Venezuela, a striking proof of how much it appreciates in one of her citizens, and that it everywhere rewards the practice of that same virtue of philanthropy.

Upon Congress coming to a resolution in the affirmative, there

will no longer be any motive for delaying to deliver the medal to General Beluche.

B. H. Wilson, Esq.

ESTEVAN HERRERA.

(Inclosure 3.)—*Mr. Belford Wilson to General Beluche.*

MY DEAR GENERAL,

Caracas, January 9, 1851.

HEREWITH, I inclose for your information, a copy of a despatch which, on the 2nd of December of last year, has been addressed to me by Viscount Palmerston, Her Majesty's Principal Secretary of State for Foreign Affairs, transmitting to me a gold medal bearing the portrait of Her Majesty Queen Victoria, which Her Majesty's Government desire to present to you as an acknowledgment of your humanity in having generously restored to their rightful liberty 2 children of a woman named Louisa, a British subject born at Nassau in the Island of New Providence, about which a friendly correspondence passed in the course of last year between you and me, partly through the medium of Mr. Vice-Consul McWhirter, resulting in your generously and spontaneously restoring these 2 children to their rightful liberty, as it in consequence became my agreeable duty to report to Her Majesty's Government.

I have been instructed to deliver this medal to the Secretary of State for Foreign Affairs of Venezuela, and to request him to cause it to be forwarded to you.

In the meantime, it may be gratifying to you to know that there is an inscription on it to the following effect:

"From the British Government to General Beluche, for generously restoring to their rightful liberty 2 children of a British subject. 1850."

As a soldier and seaman of the war of Columbian independence, and as a comrade of the Liberator Bolivar, many are the medals you have nobly earned by your gallant services at sea and in the field in the cause of Spanish-American freedom, but not less honourable to you or gratifying to your feelings will be, I venture to affirm, the medal now presented to you as an acknowledgment of your humanity and generosity, by the Government of a nation which, mighty as it is, is not more powerful from its material greatness than by its moral elevation and its disinterested services in the cause of freedom and humanity.

Possibly, the Venezuelan Government may consider it necessary to obtain the sanction of the Legislature before granting you permission to accept of this medal; if so, its delivery to you may be somewhat retarded; nevertheless, the delay is not to be regretted, for as I cannot doubt of the willingness either of the Government or Legislature to sanction your acceptance of it, their cordial concurrence in rendering honour where honour is due, will furnish to

Venezuela another opportunity of practically showing respect for those principles of humanity which, since 1810, have been adopted and embodied by her as a part and parcel of her national and constitutional existence. Believe me, &c.

General Beluche.

BELFORD HINTON WILSON.

(Inclosure 4.)—*General Beluche to Mr. Belford Wilson.*

(Translation.)

MY DEAR SIR AND FRIEND,

Caracas, January 29, 1851.

So soon as Congress will grant me permission, I will accept of the much-prized medal with which the Government of Her Majesty Queen Victoria desires to honour me, for having restored to their full liberty 2 sons of a British subject.

I will accept of this medal as a proof of the generous efforts which powerful England has displayed for the great and philanthropic object of raising to the dignity of human beings those who are degraded by a state of personal slavery.

Lastly, I will accept of it, and I will bequeath it to my children, as a solemn record of the duty of all men to favour and procure by all lawful means within their power, the positive freedom of their fellow-creatures.

Be so good, my old friend, to convey to the Government of Her Majesty my profound acknowledgment for the much-prized gift with which it has honoured me, and in which I likewise recognize the benevolent recommendations which you have extended to your sincere friend and comrade.

B. H. Wilson, Esq.

RENATO BELUCHE.

*CORRESPONDENCE respecting the Mixed Commission which met at Lisbon in 1851, to investigate the Claims of M. Pacifico upon the Government of Greece, in regard to the Loss of Documents connected with his Claims upon the Portuguese Government.—1850, 1851.**

No. 1.—Mr. Addington to M. Pacifico.

SIR,

Foreign Office, September 17, 1850.

I AM directed by Viscount Palmerston to request that you will send him a detailed statement, showing what were the documents which you lost by the attack on your house at Athens; and explaining in what manner, and for what reasons, the loss of any of those

* Laid before Parliament, 1851.

documents prevents you from establishing any claims which you may have upon the Government of Portugal.

I have, &c.

M. Pacifico.

H. U. ADDINGTON.

No. 2.—M. Pacifico to Viscount Palmerston.

SIR, 10, *Bury Street, St. Mary Axe, September 26, 1850.*

IN reply to your letter dated September, 1850, requesting, by direction of Viscount Palmerston, a description of the documents lost by the attack on my house at Athens, and an explanation of the reasons why that loss prevents me from establishing my claims upon the Government of Portugal; I regret to say, that upon that occasion the destruction of my papers was so complete, that of many of them relating to my claims upon the Government of Portugal, nothing remains which can enable me to recollect or state to his Lordship their precise nature or contents. Of some of them, however, a catalogue or short statement was fortunately picked up soon after the attack, which was subsequently showed to and verified by the Attorney-General of His Majesty the King of Greece, and a copy of it was afterwards transmitted by me, on the 9th September, 1847, to Sir Edmund Lyons, the Minister of Her Britannic Majesty at Athens. The account contained in that catalogue, of the nature and contents of the lost papers, is, I am sorry to say, the fullest and most accurate which I am now, either from recollection, or from any materials in my possession, able to furnish, and I therefore inclose and beg leave to refer his Lordship to a copy of it for the description of the documents in question. I would at the same time beg the favour of your informing Viscount Palmerston that in the year 1834, a detailed and particular statement of my claims upon the Portuguese Government, and of the documents in support of them, was drawn up and verified by me before a civil judge at Faro, in Portugal, duly evidenced by witnesses, and a judicial sentence pronounced in my favour, in conformity with the laws of Portugal; and that I have written for, and expect to receive a certified copy of that statement, in the course of 3 or 4 weeks; when received I would ask permission to lay it, together with any further information or explanation it may suggest to me, before his Lordship.

With regard to the reasons why, and the manner in which the loss of these documents prevents me from establishing my claims upon the Portuguese Government, his Lordship will perceive, even from the imperfect description given in the inclosed catalogue, that the papers which were destroyed comprised ministerial orders, certificates, receipts, and other vouchers for official duties performed, money expended, and liabilities incurred on behalf and at the

instance of the Government of Portugal, and of valuations of losses sustained in their service; and also of the Consular archives, which remained in my hands as a security for what was due to me from that Government. Of the various claims there referred to, the lost documents constituted almost the only evidence, and their loss has now been officially reported, and has become fully known to the Portuguese Government. Without them it would of course, under these circumstances, be impossible for me to support, with the necessary proof, the demands which I feel justly entitled to make upon the Government of Portugal, and I fear that without such proof there is little disposition on their part to discharge the amount now due to me. In short, this unfortunate destruction of my papers has compelled me to trust, for the recognition of my claims, to the uncertain recollection of their reality and justice which may rest in the minds of those parties in connexion with the Portuguese Government, to whose notice they have been brought from time to time, and has reduced me to the necessity of supplicating as a favour, a settlement which I might otherwise have sought as a matter of right.

I am, &c.

Viscount Palmerston, G.C.B.

D. PACIFICO.

(Inclosure.)—Statement of Documents relating to the Claims of the Chevalier David Pacifico, on the Portuguese Government.

Athens, December 21, 1844

FOUR documents under this head (1828), namely,

For the loss of 4 commanderies which I had held in the Alemtejo for 3 years, as there are documents to prove, and which were confiscated by Don Miguel's authorities, because I had done good to all the liberal emigrants, as is proved by the document No. 1, which I forwarded to the General Cortes of the Portuguese nation on the 24th December, through Senhor Paul Midosi, a deputy of that legislative body, the said losses, together with the interest thereupon at 5 per cent., amounting to 48,000 000

Judicial decision of February 13, 1834, delivered in the town of Faro.

Pillage of my house at Mertola, and of my corn warehouses, which took place in 1833, when the liberal troops entered that town, and afterwards retreated from it; the said loss, together with the interest thereupon, up to this day's date, amounting to . . . 1,700 000

Twenty-five documents.

Rent of 2 houses at Gibraltar, provided with all necessary furniture, one of which was occupied by the late Archbishop Ataite and his suite, and the other by the whole of the liberal emigrants, amounting to 120,000 reis per mensem for each house, and the interest thereupon up to this day's date—that is to say, for 3 years and a half 18,144 000

Five documents and receipt.

For muskets given to Colonel Almeidas for the defence of Olhão, as is proved by the Baron de Faro's receipt, amounting, together with interest up to this day's date, to 1,200 000

Three documents, Nos. 120, 121, 149.

For arrears of my salary, and on account of Her Most Faithful Majesty's Government having kept me in that state without any decision on my case, and in order to restore me to my former position, and to pay me all my indemnities and salary, which the financial agency of London kept back from me without reason, as is proved by the letter from that agency, dated 24th March, 1844, unjustly pretending that I had given a receipt in full to Her Most Faithful Majesty's Government, and therefore only paying me 197*l.* 14*s.* 3*d.* on account of my salary; on which account I consider myself, according to the laws of humanity and the laws of nations, entitled to the full payment of my salary, amounting, for the said 3 years, up to December 31, 1844, at the rate of 1 conto and 200,000 reis per annum (and not to the end of 1842), with its proper interest, according to the exchange of this place, to .. 4,032 000

Two certificates.

For 2 years' service in the war of the Algarves, with the division of operations, in the capacity of paymaster and commissary of the said division, according to the British tariff 2,800 000

As is proved by the documents and despatches of the Viscount Sá da Bandeira, dated May 25, 1844.

For my voyage from Lisbon to Genoa, and from Genoa to Greece, by order of Her Majesty's Government, in order to carry on the Portuguese Consulate-

General in Greece, in the same way as Her Most Faithful Majesty's Government have paid the expenses of M. Vidal, of M. Joachim Barassor Ferrera, and others; and I have in my possession an order from the very excellent nobleman, the Marquis de Loulé, Minister at that period, to undertake that voyage at the expense of Her Most Faithful Majesty's Government, amounting to 1,550 Spanish tallaris, with interest for 5 years at 12 per cent., according to the rate of interest of the Royal Bank of this country (Athens), which added to the sum of 1 conto of reis for my return to Lisbon, makes a total of 3,160 000

Four documents.

Expenses of the chancery of the Consulate-General in 1842, according to the accounts sent in to the Minister for Foreign Affairs, amounting, for the 4 quarters to 94 915

For 2 protests by the London Agency on my bills drawn for the payment of my salary, as is proved by the said protests, and for the exchange and re-exchange paid to M. A. Malandrinos and Co., and to Th. Ralli 134 400

Total 94,645 315

The above sum amounts to 94 contos, 645,315 reis, making in pounds sterling, at the exchange of 54 pence for 1000 reis, the sum of 21,295*l.* 1*s.* 4*d.*

D. PACIFICO.

No. 3.—Viscount Palmerston to the Right Hon. T. Wyse.

SIR,

Foreign Office, October 7, 1850.

I HAVE to instruct you to propose to the Greek Government, that the investigation respecting the claims which M. Pacifico alleges that he has upon the Portuguese Government, the documents relating to which were lost or destroyed during the attack on his house at Athens, should take place at Lisbon; and if the Greek Government have no objection to this proposal, you will request them to name a Commissioner for the purpose of carrying the proposed investigation into effect.

I am, &c.

Right Hon. T. Wyse.

PALMERSTON.

No. 4.—Viscount Palmerston to the Marquis of Normanby

MY LORD,

Foreign Office, October 8, 1850.

I HAVE to instruct your Excellency to propose to the French Government, that the investigation respecting the claims which

M. Pacifico alleges that he has upon the Portuguese Government, the documents relating to which were lost or destroyed during the attack on his house at Athens, should take place at Lisbon; and if the French Government have no objection to this proposal, your Excellency will request them to name a Commissioner for the purpose of carrying the proposed investigation into effect.

I am, &c.

H.E. The Marquis of Normanby.

PALMERSTON.

No. 5.—The Marquis of Normanby to Viscount Palmerston.

(Received October 11.)

MY LORD,

Paris, October 10, 1850.

IN conformity with your Lordship's instructions contained in your despatch of the 8th instant, I proposed to General de Lahitte that the investigation respecting the claims which M. Pacifico alleges that he has upon the Portuguese Government, the documents relating to which were lost or destroyed during the attack on his house at Athens, should take place at Lisbon. General de Lahitte completely concurred in the convenience of such a course, but added that he had himself proposed it to your Lordship some weeks since, through M. Drouyn de Lhuys; that he had there stated that the Greek Government assented to that form of proceeding, and would name their Consul-General at Oporto; he himself intended to nominate M. Bécлар, the First Secretary of Legation at Lisbon. Therefore, the General says, all that now remains is for your Lordship to name an English Commissioner.

I have, &c.

Viscount Palmerston, G.C.B.

NORMANBY.

No. 6.—The Right Hon. T. Wyse to Visc^t. Palmerston.—(Rec. Oct. 19.)

MY LORD,

Athens, October 7, 1850.

I HAVE the honour to inclose to your Lordship a copy of a letter from M. Delyanni, His Hellenic Majesty's Minister for Foreign Affairs, of the $\frac{1}{2}$ ⁶/₅th ultimo, communicating for the information of your Lordship, that, pursuant to the Convention lately signed between the Plenipotentiaries of Great Britain and Greece, His Hellenic Majesty's Government had named Mr. O'Neill, his Consul-General at Lisbon, to act as his agent, concurrently with the agents who shall be appointed by Great Britain and France, in coming to a definitive decision as to what losses M. Pacifico may have suffered by the destruction of papers and documents in the attack on his house at Athens, establishing, as he states, certain pecuniary claims of his on Portugal.

I have, &c.

Viscount Palmerston, G.C.B.

THOS. WYSE.

(*Inclosure.*)—*M. Delyanni to the Right Hon. T. Wyse.*

MONSIEUR,

Athènes, le $\frac{1}{2}$ ⁶/₈ Septembre, 1850.

CONFORMEMENT aux Articles I et II de la Convention conclue à Athènes le $\frac{6}{18}$ Avril de l'année courante, entre les Plénipotentiaires respectifs de la Grèce et de la Grande Bretagne, le Gouvernement du Roi a nommé M. O'Neill, son Consul-Général à Lisbonne, son Commissaire, pour que, d'accord avec les deux autres personnes que le Gouvernement de Sa Majesté Britannique et celui de la République Française auraient désignées, il puisse procéder à l'arrangement définitif des réclamations formées, dans le temps, contre le Gouvernement Grec pour la perte de certains titres au moyen desquels le Sieur D. Pacifico prétendait pouvoir faire valoir des réclamations pécuniaires à la charge du Trésor Portugais.

En vous priant, Monsieur, de vouloir bien porter à la connaissance de sa Seigneurie le Vicomte Palmerston ce qui précède, je saisis, &c.
Right Hon. T. Wyse.

P. DELYANNI.

No. 7.—Mr. Addington to Mr. Campbell Johnston.

SIR,

Foreign Office, October 30, 1850.

I AM directed by Viscount Palmerston to acknowledge the receipt of your letter of the 10th instant, offering your services to act on behalf of Her Majesty's Government, in investigating the claims made by M. Pacifico against the Greek Government, on account of the destruction during the attack upon his house at Athens in 1847, of some documents which constituted the proofs of certain debts alleged to be due to him by the Government of Portugal; and I am directed by Lord Palmerston to inform you that he is ready to appoint you to be the British Member of the Mixed Commission which is to meet at Lisbon for the purposes of this investigation, and which is to be composed of Commissioners on the part of Great Britain, France, and Greece.

I am to add that the French and Greek Commissioners have already been appointed, and are at Lisbon.

I am, &c.

C. Johnston, Esq.

H. U. ADDINGTON.

No. 8.—M. Pacifico to Mr. Addington.

SIR,

10, Bury Street, St. Mary Axe, October 30, 1850.

I HAVE now the honour to transmit to you a certified copy of the proceedings in the Court of Faro, in Portugal, to which reference was made in my letter to you of the 26th September, as also a notarial translation of the same. I will thank you to have this document laid before Viscount Palmerston.

As the inclosed is the only certified copy of these proceedings in

my possession, I would beg the favour of its being returned to me when his Lordship shall have quite finished with it.

I have, &c.

H. U. Addington, Esq.

D. PACIFICO.

(Inclosure.)—*Minute of Proceedings in the Court of Faro.*

(Translation.)

STAMPS. PUBLIC FORM.

IN the year 1834, Court of General Jurisdiction of Faro, process of proof. Prover, David Pacifico ; notary, Gomes.

In the year of the birth of our Lord Jesus Christ 1834, on the 7th day of the month of February of said year, at this city of Faro, in my notarial office, I formalised the petition hereafter following, for the making known whereof I have drawn up this act of formalisation ; and I, José Joaquim Gomes, have written out and signed the same.

JOSE JOAQUIM GOMES.

Your Honour, David Pacifico, residing at this city, saith that he is desirous to prove in this court that he, the petitioner, since the year 1812, has resided in this kingdom, carrying on business, and established at the city of Lagos, in the kingdom of Algarve, where he is possessed of real estates. That in the year 1822, he, the petitioner, was privileged in this kingdom by the British Court of Conservancy, under a patent from His Majesty Don John VI. That the petitioner, having business in the city of Mertola, was at that city on the arrival of the liberating troops there, which took place in July last year. That when the said troops and the loyal inhabitants retired from the aforesaid city, the petitioner likewise withdrew, and thus lost his business, movables, and corn-stores, and among them his certificate of British privilege. That the petitioner has rendered some services to the cause of liberty, one of which was his having supplied arms for the defence of the city of Olhão, and having also rendered every personal service in his power. That the petitioner is and always has been a decided Constitutionalist, on which account he has sustained great losses in his business and property ; besides which he has afforded material aid to the emigrants who were in Gibraltar at his house by order of His Majesty Dom Pedro ; he therefore prays your Honour to be pleased, on sufficient evidence being produced, to legalise the present proofs by a judgment, the said act of proof being delivered to the prover, and copied at the notarial office, and you shall receive thanks.

On distribution thereof, let the proof be received.

MASCARENHAS BACALHAO.

Distributed to Gomes Barboza.

Faro, February 12, 1834.

I certify that I notified to the prover, David Pacifico, to name his witnesses whom he intends to produce in this his act of proof, which I certify.

JOSE JOAQUIM GOMES.

Faro, February 12, 1834.

I certify that by the prover, David Pacifico, were named as witnesses the following parties, viz., Cypriano José Ferreira da Palma, José Alexandre Pinto, and Joaquim Antonio Nogueira, all emigrants at this city; for the making known whereof I have passed these presents, which I have signed.

JOSE JOAQUIM GOMES.

Faro, February 12, 1834.

I, Bartholemew José Mascarenhas de Figuerido e Bacalhão, judge in the law of this city of Faro and district thereof for Her Most Faithful Majesty Dona Maria II, whom God preserve, &c., do order the notary who has passed these presents, or another, in case of his hindrance, to notify to the witnesses underneath signed, that they are to depose respecting the tenor of the petition of the prover, David Pacifico, on the day that shall be signified to him, which they are to comply with.

And I, José Joaquim Gomes, have drawn up the same.

MASCARENHAS BACALHAO.

CYPRIANO JOSE FERREIRA DA PALMA.

JOSE ALEXANDRE PINTO.

JOAQUIM ANTONIO NOGUEIRA.

Faro, February 12, 1834.

I certify that I notified to Cypriano José Ferreira da Palma to depose in the present act of proof on the part of the prover, David Pacifico.

JOSE JOAQUIM GOMES

Faro, February 12, 1834.

I certify that I notified to José Alexandre Pinto to depose in the present act of proof on the part of the prover, David Pacifico.

JOSE JOAQUIM GOMES.

Faro, February 12, 1834.

I certify that I notified to Joaquim Antonio Nogueira to depose in the present act of proof on the part of the prover, David Pacifico.

JOSE JOAQUIM GOMES.

On the 12th day of the month of February, 1834, at the city of Faro, in my notarial office, was present the Examiner of this Court, Antonio Joaquim de Barboza, and by him were examined and interrogated the following witnesses; and in testimony of the whole thereof I have drawn up this act. I, José Joaquim Gomes, have written the same.

1st Witness.—Cypriano José Ferreira Palma, bachelor, clerk to the municipality of the city of Mertola, at present residing in this city as an emigrant, aged 48 years, a little more or less, as he declared. Witness sworn on the Holy Gospels, which were presented to him by the said examiner, and upon which he laid his right hand and promised to declare the truth as to what he might know, and should be interrogated, &c., according to custom. He said nothing more; and being questioned respecting the tenor of the allegations of the petition of the prover, David Pacifico, he said, on the first, that he knows it to be true that the said prover, since the year 1812 till the present time, has been for the greater part of the time occupied in his business in this kingdom of Algarve, having been established in the city of Lagos, where, to his knowledge, he, the said prover, possessed real estates; and he said no more on this point. And on the second allegation he said, that for the same reason he knows, and there is no doubt that the said prover, in the year 1822, held a British privilege in this kingdom by a patent from His Majesty Dom Pedro VI; and, moreover, that he, the witness himself, has had the same privilege in his hands: and he said nothing more on this point. And on the third allegation he said, that for the same reason he knows the said prover carried on his business at the city of Mertola, he being in the said city on the arrival there of the liberating troops, which occurred in July last year, where he rendered services to the cause of legitimacy, having many Liberals quartered in his house, all of whom he entertained with generosity and urbanity; and he said no more. And on the fourth allegation he said, that he also knows for the same reason, that the said prover, when the said troops retired with the loyal inhabitants of the aforesaid city of Mertola, also withdrew, in order not to incur the danger of being exposed to the fury of the rebels; and he is certain that, on the said retreat, he lost his business, his moveables, and corn stores which he had there, and among the rest his certificate of naturalization, for he was only able to save his person, as was the case also with the other inhabitants; and he said no more on this head. And as respects the fifth allegation he said, that he is also sure, and it is true, that the said prover has rendered great services to the cause of liberty, one of those services being, that he supplied muskets which he ordered from Gibraltar, and delivered to the

inhabitants of Olhão for the defence of that town, where he remained a considerable time, giving all his personal services on occasion of the important crisis at that city; and he said nothing more on this head. And on the sixth allegation he said, that for the same reason he knows the said prover has always been and still is, a decided Constitutionalist; and he is sure that on this account he has sustained many severe losses in his business and property, inasmuch as he did a large business in the sale of commendams and tithes with the late Simao Naburro of the city of Mertola, and now with his heiress, Donna Felicidade Augusta de Mello Garrido, of the same city; but on his proceeding to settle accounts with the said heiress, she never would come to any settlement, because he was a zealous Constitutionalist, and she was extremely devoted to the cause of the rebels; and it is likewise true that the said prover, besides all this, rendered important benefits to the emigrants who were at Gibraltar, by advancing them money, and by order of His Majesty Dom Pedro lodging them at his house; and he said nothing more on this last point. And signed, together with the said examiner this his deposition, which being read to him, he ratified what he had declared, which I certify. I, José Joaquim Gomes have drawn up the same.

BARBOZA.

CYPRIANO JOSE FERREIRA PALMA.

2nd Witness.—José Pinto, bachelor, a native of the city of Loulè, serving in the national battalion of Villa Reale de Santo Antonio, aged above 26 years, by his statement, witness sworn, &c., said in reference to the first, that he knows it to be true that the said prover, since the year 1822 till the present year, has been for the greater part of the time occupied in his business in this kingdom, having been established at the city of Lagos, in this kingdom of Algarve, where, to his knowledge, he, the said prover, possesses real estates; and he said no more on this point. And on the second allegation he said, that he also knows it to be true that the said prover, in the year 1822, held a British privilege in this kingdom, by a patent from His Majesty Dom John VI, and moreover that he, the witness, had seen the said patent; and he said nothing more on this point. And to the third allegation he said, that he also knows it to be true that the said prover carried on business at the city of Mertola, he being at the said city on the arrival of the liberating troops, which occurred in July last year; and he said no more on this head. And on the fourth allegation he said, that he knows to a certainty, that the said prover, when the aforesaid troops and loyal inhabitants withdrew from the above-mentioned city, also withdrew, and on this occasion lost his business, moveables, and corn stores,

and among the rest his certificate of naturalization, or British privilege, for he, as well as the other inhabitants, was only able to save his person; and he said nothing more on this point. And as respects the fifth allegation he said, that for the same reason he knows that the said prover has rendered services to the cause of liberty, one of those services being, that he supplied part of the muskets to the inhabitants of Olhão for its defence, giving also his personal services at that city; and he said nothing more on this particular. And on the sixth allegation he said, that he knows from having witnessed it, that the said prover always has been, and still is, a zealous Constitutionalist, and on that account has suffered great losses in his business and property; and besides this, the said prover rendered important benefits to all the Portuguese emigrants, he the witness being one of them, many of whom were lodged at the house of the said prover in Gibraltar, the latter by order of Dom Pedro, supplying them with all the requisites and necessaries, and advancing them money; and he said nothing more on this last point; and together with the said examiner signed this his important deposition, which on being read to him he ratified. And I, José Joaquim Gomes, have drawn up the same.

BARBOZA.

JOSE ALEXANDRE PINTO.

Registration.—On the 12th of February, 1834, at this city of Faro, and in the dwelling-house of Joaquim Antonio Nogueira, whither I, the notary, repaired, accompanied by the examiner of this court, Antonio Joaquim Barboza, the following witness was examined and interrogated by the said examiner, and in testimony of the whole thereof I have drawn up this act of registration, and I, José Joaquim Gomes, have written the same.

3rd Witness.—Joaquim Antonio Nogueira, a married native of Beija, and at present an emigrant at this city, aged 33 years, a little more or less, according to his statement, the witness sworn, &c. said, in reference to the first allegation, that he knows to a certainty, that the said prover, since the year 1812 up to the present year, has resided for nearly the greatest part of that time in this kingdom, carrying on business and established at the city of Lagos, in the Kingdom of Algarve, where it is said he possesses some real property; and he said nothing more on this point. And on the 2nd allegation he said, that for the same reason he knows that the said prover had the privilege of a British subject in this kingdom, by patent of the King Dom John VI, this being in the year 1822; and he said nothing more on this point. And on the 3rd he said, that there is no doubt that the said prover had business at the city of Mertola, and was at the said city on occasion of the arrival of the

liberating troops, which was in July last year; and he said no more on this head. And on the 4th he said, that he also knows it to be true and a known fact, that when the said troops and loyal inhabitants of the said city of Mertola withdrew, the aforesaid prover likewise left the place, losing on that occasion all his business, moveables, and goods, among which was his certificate of British privilege, since he, as well as the other inhabitants, could only save their persons; and he said nothing more on this matter. And as respects the 5th allegation, he said, that it is the fact and true, that the said prover has rendered great services in the cause of liberty, one of which was that he supplied certain quantities of muskets to the inhabitants of the city of Olhão for their defence, the said prover being then at that place, rendering his personal services on all occasions; and on this point he said nothing more. And as to the 6th, he said, that he knows for certain, that the said prover always was and still is a staunch Constitutionalist, and on that account has sustained heavy losses in all his offices and properties; besides which, by order of Dom Pedro, he rendered many services to the Portuguese emigrants who were at Gibraltar frequenting his house, by ministering to their necessities and by advancing them money; and he said nothing more on this last matter; and signed, with the said examiner, this his deposition, which having been read to him, he said was in conformity with what he had stated. And I, José Joaquim Gomes, have drawn up the same.

BARBOZA.

JOAQUIM ANTONIO NOGUEIRA.

On the 13th February, 1834, at this city of Faro, I finished these acts at my notarial office, and reported them as concluded to the judge in the law.

BARTHOLOMEW JOSE MASCARENHAS DE FIGUERIDO E BACALHAO.

In witness whereof I have drawn up this Act, and I José Joaquim Gomes, have written the same.

Faro, February 13, 1834.

On view of the depositions of the witnesses, I do by sentence pronounce the present proof to be valid, to which end I therein interpose my authority and judicial decree, the prover to pay the costs.

BARTHOLOMEW JOSE MASCARENHAS DE FIGUERIDO E BACALHAO.

Faro, February 13, 1834.

On the 13th February, 1834, at this city of Faro, and at the residence of the municipal judge, Bartholomew José Mascarenhas e Bacalhão, whither I, the notary, proceeded, were delivered to me there by him these acts with the judgment overleaf, which he

ordered to be executed and observed as therein contained and declared; and in testimony of the whole thereof he ordered this act to be drawn out; and I, José Joaquim Gomes, have written the same.

I certify that I notified to the prover, David Pacifico, the whole of the tenor of the judgment overleaf, which I read to him and he was apprized thereof.

JOSE JOAQUIM GOMES.

Faro, August 13, 1850.

And the same having been copied, I collated it with the original, to which I refer.

And I, Joze Joaquim da Costa Lami, notary of minutes at this city of Faro, and in the court of law thereof, have written and signed the same as a public copy. In testimony of the truth, notarial sign, 1836.

The Notary,

JOSE JOAQUIM DA COSTA LIMA.

And collated by me,

JOSE JOAQUIM DA COSTA LIMA.

No. 9.—Lord Stanley of Alderley to Mr. Campbell Johnston.

SIR,

Foreign Office, November 20, 1850.

I AM directed by Viscount Palmerston to transmit to you herewith, for your information, copies of 2 letters which his Lordship has received from M. Pacifico, inclosing a statement of his alleged claims on the Government of Portugal; and I am to request that you will communicate the inclosed papers to your French and Greek colleagues.

I am, &c.

C. Johnston, Esq.

STANLEY OF ALDERLEY.

No. 10.—Mr. Campbell Johnston to Lord Stanley of Alderley.

MY LORD,

19, Great Cumberland Place, November 21, 1850.

I HAVE the honour to acknowledge the receipt of your Lordship's letter of the 20th instant, together with its inclosures, and in compliance with the instructions of Viscount Palmerston shall communicate those papers to my French and Greek colleagues in the Commission of arbitration about to meet at Lisbon.

I am, &c.

Lord Stanley of Alderley.

P. F. C. JOHNSTON.

No. 11.—Viscount Palmerston to the Marquis of Normanby.

(Extract.)

Foreign Office, December 3, 1850.

I HAVE to instruct your Excellency to inform General de Lahitte that Her Majesty's Government have appointed Mr. Patrick Francis

Campbell Johnston to be the British Member of the Mixed Commission which is to meet at Lisbon, in order to investigate the claims made by M. Pacifico against the Greek Government, on account of the destruction during the attack upon his house at Athens, of some documents which constituted the proofs of debts alleged to be due to him by the Government of Portugal.

Mr. Johnston is ready to proceed immediately to join the French and Greek Commissioners at Lisbon, but Her Majesty's Government have been obliged to postpone his departure, because the ratifications of the Treaty for the settlement of the differences between Great Britain and Greece, which was signed by Mr. Wyse and M. Londres, in the presence of the French Chargé d'Affaires, on the 18th of July last, have not yet been exchanged.

H. E. the Marquis of Normanby.

PALMERSTON.

No. 12.—*M. Pacifico to Mr. Addington.*

SIR, 10, Bury Street, St. Mary Axe, December 31, 1850.

I HAVE the honour to transmit to you another document, as also a notarial translation thereof in support of my claim against the Greek Government, and will thank you to have the same laid before Viscount Palmerston.

I have, &c.

H. U. Addington, Esq.

D. PACIFICO.

(Inclosure.)—*Affidavit of Senhor Paulo Midosi.*

(Translation.)

Lisbon, November 4, 1850.

PAULO MIDOSI, Councillor of Her Most Faithful Majesty, whom God preserve, &c.

By the present I attest and certify, that in the year 1838, being a deputy to the Cortes for the Electoral Circle of Vizeu, M. David Pacifico delivered to me at that time, a petition supported by various documents, with details, concerning the sequestration which the authorities, in the name of Dom Miguel, had laid upon various inclosures, the property of the said M. Pacifico; and the value whereof he entreated the Cortes should be paid to him as indemnity, in cash, in the same manner as had been done for other creditors of like character, and not in inscriptions of the public debt, as the Government had determined. Besides which the same gentleman also required, that in consideration of the well-known services he had rendered the adherents of the Liberal party who supported the cause of Dom Pedro IV, of revered memory, sometimes furnishing them assistance, sometimes sheltering them in his house at Gibraltar, and further risking his own life at times, while the civil war continued; that he should be paid also in cash, the amount of divers inscriptions of the national debt delivered for the Marine Department. All which, according to the best of my recollection, I certify was the

truth, the said petition not obtaining a decision in the Legislature of that year, nor in the following in 1839, in which I was again elected a deputy for the Electoral Circle of Lisbon, the decision being reserved to be taken into consideration with the general measures which were then projected for that class of creditors. And for the truth of all that is stated, the present being desired of me, I have passed and signed it, to set forth the same, where requisite.

PAULO MIDOSI.

No. 13.—Mr. Addington to M. Pacifico.

SIR,

Foreign Office, January 7, 1851.

I AM directed by Viscount Palmerston to inform you that the Governments of Great Britain, France, and Greece, have respectively appointed Commissioners, who are to meet at Lisbon, in order to investigate the claims made by you against the Greek Government, on account of the loss of some documents which were destroyed or carried away during the attack upon your house at Athens, and which constituted the proofs requisite to establish certain debts alleged to be due to you by the Government of Portugal.

I am at the same time to acquaint you, that Lord Palmerston has communicated to the British Commissioner, for the consideration of himself and of his French and Greek colleagues, those statements of your claims which were contained in your letters of the 26th of September, of the 30th of October, and of the 31st of December last; and I am to state to you that it will be necessary either that you should proceed to Lisbon yourself, or that you should empower some person there to act for you, for otherwise the Commissioner will have no adequate means of pursuing their inquiry respecting the value of your lost documents.

I am, &c.

M. Pacifico.

H. U. ADDINGTON.

No. 14.—M. Pacifico to Mr. Addington.

SIR,

10, Bury Street, St. Mary Axe, January 10, 1851.

I HAVE the honour to acknowledge the receipt of your letter of the 7th instant, apprising me by direction of Viscount Palmerston, that the Governments of Great Britain, France, and Greece, had respectively appointed Commissioners who are to meet at Lisbon in order to investigate the claims made by me against the Greek Government, on account of the documents destroyed or carried away during the attack on my house at Athens, and which constituted the proofs requisite to establish my claims upon Portugal, and also apprising me that it will be necessary either that I should proceed to Lisbon myself, or that I should empower some person there to act for me, in order to furnish the necessary information to enable the Commissioners to proceed with the inquiry.

In reply to this communication I beg to request that you will be good enough to inform Viscount Palmerston, that I am apprehensive I shall be unable to proceed to Lisbon for the purposes of this inquiry, owing to my impaired state of health. And that should I be incapacitated from this cause from proceeding there, I will then depute a competent person to represent me in Lisbon, and to furnish the requisite information to the Commissioners for carrying out the object of the Commission.

I beg to solicit the favour that you will inform me the probable time the Commissioners will meet in Lisbon, in order that I may be prepared in this matter.

I have, &c.

H. U. Addington, Esq.

D. PACIFICO.

No. 15.—Mr. Addington to Mr. Campbell Johnston.

SIR,

Foreign Office, January 14, 1851.

WITH reference to Lord Stanley's letter to you of the 20th of November last, I am directed by Viscount Palmerston to transmit to you, for communication to your French and Greek colleagues in the Mixed Commission at Lisbon, a further letter which his Lordship has received from M. Pacifico, inclosing a certificate attested by M. Paulo Midosi, relative to a petition which he received from M. Pacifico in 1838, for presentation to the Portuguese Cortes.

I am, &c.

C. Johnston, Esq.

H. U. ADDINGTON.

No. 16.—M. de Marescalchi to Viscount Palmerston.

MY LORD,

Londres, le 14 Janvier, 1851.

JE suis chargé par mon Gouvernement de porter à votre connaissance le choix qu'il a fait de M. Béclard, Secrétaire de la Légation de France à Lisbonne, pour prendre part comme surarbitre aux travaux de la Commission Mixte chargée de vérifier les réclamations du Sieur Pacifico.

M. Béclard a déjà reçu à cet effet les pouvoirs et les instructions nécessaires.

Je saisis, &c.

S.E. le Vicomte Palmerston, G.C.B.

F. MARESCALCHI.

No. 17.—Viscount Palmerston to M. de Marescalchi.

SIR,

Foreign Office, January 16, 1851.

I HAVE the honour to acknowledge the receipt of your letter of the 14th instant, stating that the French Government has appointed M. Béclard, the Secretary of the French Legation at Lisbon, to act as umpire in the Mixed Commission which is to meet at Lisbon for the investigation of M. Pacifico's claims.

I have to state to you that Her Majesty's Government do not object to the French member of that Commission being considered as umpire, but it appears to Her Majesty's Government to be desir-

able that he should constantly attend the meetings of the other 2 Commissioners, as such an arrangement will save time, and render the business of the Commission more easy.

I am, &c.

M. de Marescalchi.

PALMERSTON.

No. 18.—Mr. Addington to M. Pacifico.

SIR,

Foreign Office, January 16, 1851.

I HAVE laid before Viscount Palmerston your letter of the 10th instant, stating that you will be ready, either through an agent or in person, to lay before the Mixed Commission which is to meet at Lisbon for the investigation of your claims upon Greece, such information as that Commission may require from you; and in answer to your request to be informed when the Commissioners are likely to begin their inquiry, I am directed by Viscount Palmerston to state that they will, in all probability, be ready to open the Commission in the beginning of next month.

I am, &c.

M. Pacifico.

H. U. ADDINGTON.

No. 19.—Mr. Addington to M. Pacifico.

SIR,

Foreign Office, January 28, 1851.

WITH reference to your letter of the 10th instant, stating that if you should be unable to appear in person before the Mixed Commission at Lisbon, you would depute a competent agent to furnish the Commission with the requisite information respecting your claims, I am directed by Viscount Palmerston to request that you will enable him to inform Mr. Johnston, the British Member of the Mixed Commission, whether you are about to proceed to Lisbon, and, if not, who is the person whom you have deputed to represent you.

I am at the same time to inform you that Mr. Johnston sailed for Lisbon on the 27th instant.

I am, &c.

M. Pacifico.

H. U. ADDINGTON.

No. 20.—M. Pacifico to Mr. Addington

SIR,

10, Bury Street, St. Mary Axe, January 29, 1851.

I BEG leave to request that you will inform Viscount Palmerston, in reply to your communication of yesterday's date, that I am prevented by illness from appearing in person before the Mixed Commission at Lisbon, appointed for the purpose of investigating my claims upon Greece, and that in consequence thereof I have deputed my nephew, Mr. Abraham de Moses Hassan, to proceed to Lisbon, and on my behalf to appear before the Commissioners, and to lay before them the necessary information and evidence in support of my claims.

I have given to Mr. Abraham de Moses Hassan a power of attorney for the above purpose, and furnished him with my solemn

declaration in writing, showing the manner in which my claims have arisen, and also all necessary instructions for his guidance.

I presume the certified copy of the proceedings taken in the Court at Faro, forwarded by me to you on the 30th day of October last, has been placed in the hands of Mr. Johnston, the British Commissioner.

In conclusion, I have to add that Mr. Hassan sailed for Lisbon on the 27th instant. I have, &c.

H. U. Addington, Esq.

D. PACIFICO.

No. 21.—Mr. Campbell Johnston to Visct. Palmerston.—(Rec. May 31.)

MY LORD,

Lisbon, May 9, 1851.

I HAVE the honour to forward to your Lordship a report unanimously agreed to and signed by the 3 Commissioners nominated by the Governments of Great Britain, France, and Greece, to investigate certain claims made by M. Pacifico against the Greek Government, on account of the loss of some documents which constituted the proofs of certain debts alleged to be due to him by the Portuguese Government.

The Greek Commissioner will send by the present occasion to his Government a duplicate of the report in English, which has been signed and sealed by my 2 Colleagues and himself, and it will be accompanied by a French translation, to which, however, I did not think it necessary to attach my signature, nor to recommend M. Béclard to do so.

The French Commissioner will likewise transmit, for the information of the Government of France, a correct copy of the report, to which he has annexed a translation.

I need scarcely inform your Lordship that the most honourable feelings have been displayed by my Colleagues throughout this investigation.

I have, &c.

Viscount Palmerston, G.C.B.

P. F. C. JOHNSTON.

(Inclosure.)—Report of the Commissioners of Inquiry.

Lisbon, May 5, 1851.

By a Convention signed at Athens on the 18th of July, 1850, between Her Britannic Majesty and His Hellenic Majesty, it was agreed and concluded that all the demands made on the Government of Greece in a note of the 17th January, 1850, having been satisfied, with the exception of the claim arising out of the loss by M. Pacifico of certain documents relating to money claims which he had to establish against the Portuguese Government, His Hellenic Majesty engaged to make good to M. Pacifico any real injury (*préjudice réel*) which, upon a full and fair investigation, it should be proved that he had sustained by the destruction of those documents.

For the purpose of conducting the investigation it was further agreed between the Contracting Parties, that 2 arbiters, with an

umpire to decide between them in case of difference, should be appointed by the joint concurrence of the Governments of France, of Great Britain, and of Greece, and that this Commission of Arbitration should report to the British and Greek Governments whether any, and if any, what amount of real injury had been sustained by M. Pacifico, by reason of the alleged loss of the documents mentioned; and the amount so reported should be the amount which M. Pacifico is to receive from the Greek Government.

In accordance with the above-mentioned Convention, the Government of France appointed M. Léon Bécлар, Secretary of the Legation of France at the Court of Lisbon, Commissioner and Umpire; Her Britannic Majesty's Government nominated Mr. Patrick Francis Campbell Johnston, British Commissioner; and His Hellenic Majesty's Government named Mr. George Torlades O'Neill, Consul-General for Greece at Lisbon, as their Commissioner.

The Commission, consisting of these 3 Members, assembled and met together at Lisbon in February, 1851, and proceeded to investigate a list of claims dated Athens, December 21, 1844, and which was inclosed in a letter addressed to Her Britannic Majesty's Principal Secretary of State for Foreign Affairs by M. Pacifico on the 26th September, 1850.

This list purported to be a statement of documents destroyed at Athens on the 4th April, 1847, relating to the claims of M. Pacifico on the Portuguese Government; and a copy of it, authenticated by the signatures of the 3 Commissioners, is appended to this report.

The Commissioners, in order to facilitate the inquiry, have numbered the claims in that list, and divided them into 2 classes:

1st. Those which relate to losses sustained, and services rendered, by M. Pacifico during the civil war in Portugal;

2ndly. Those which relate to claims for salary, expenses, voyage to Greece from Portugal, while holding the office of Consul-General of Portugal in Greece.

The Commissioners, in the prosecution of their duties, have endeavoured to ascertain whether among those claims there were any which had not been defeated by the loss of documents carried away or destroyed during the sacking of M. Pacifico's house at Athens, and which can, therefore, still be as well established by means of official documents or records now existing in the public offices in Portugal.

The Commissioners have now the honour to report that they have discovered in the archives of the Cortes at Lisbon a petition addressed by M. Pacifico to the Chamber of Deputies in 1839, and presented in the same year by one of its members, accompanied by a voluminous body of documents to prove his alleged losses, in which petition M. Pacifico prays for compensation for his sufferings.

The Commissioners are satisfied from inquiries which they

established at great length and much difficulty, that the various certificates and papers attached to that petition are the originals or certified copies of the most important documents alleged to have been destroyed at Athens.

That petition has not yet been disposed of by the Chamber of Deputies, M. Pacifico appearing to have taken no steps since its presentation in 1839, either by himself or his agents, to cause it, together with the accompanying documents, to be taken into consideration and decided by that Assembly.

With reference to M. Pacifico's claims in regard to the destruction of any documents connected with his salary and other expenses during the time he held the office of Consul-General of Portugal in Greece, the Commissioners are of opinion that they have not been prejudiced by any such loss, and that he is still able to establish his rights, if well founded, against the Portuguese Government.

The Commissioners having now stated their unanimous opinion on the above-named points, beg to add that almost all the losses of property, represented by documents alleged to have been destroyed at Athens, took place between the years 1828 and 1834, and that M. Pacifico appears to have taken no steps, although constantly in Portugal between the years 1834 and 1839, to assert his rights and claims in a legal manner; nor does it appear that any application was ever made by him to the British Minister or Consular authorities in Portugal, to support his rights or to redress his wrongs.

Under all the circumstances of this case, and taking into consideration the possibility that a few documents of no great importance may have been lost when M. Pacifico's house at Athens was pillaged, and the expenses he has incurred during this investigation, the Commissioners think he is entitled to receive from the Government of Greece the sum of 150*l.* for the injury he has received.

The Commissioners cannot conclude their report without taking this opportunity of stating, that the utmost cordiality and unanimity of sentiment has accompanied every step they have collectively taken in this very important investigation, and they trust the result of this Commission will prove an additional link in the friendly relations which subsist between Great Britain and France, and that the Portuguese and Greek Governments will feel that England has had but one object in view in this inquiry, namely, a fair, impartial, and honest solution of a difficult question.

In witness whereof, the 2 Commissioners and the Commissioner and Umpire have signed this report, and affixed to it their respective seals.

(L.S.) P. F. CAMPBELL JOHNSTON.

(L.S.) JORGE T. O'NEILL.

(L.S.) L. BECLARD.

*Statement of Documents relating to the Claims of the Chevalier
David Pacifico on the Portuguese Government.*

Lisbon, May 5, 1851.

FOUR documents under this head (1828), namely :

1st Class. For the loss of 4 commanderies which I had held in Alementejo for 3 years, as there are documents to prove, and which were confiscated by Dom Miguel's authorities, because I had done good to all the Liberal emigrants, as is proved by the document No. 1, which I forwarded to the General Cortes of the Portuguese nation on the 24th December, through Senhor Paul Midosi, a Deputy of that Legislative Body, the said losses, together with the interest thereupon at 5 per cent., amounting to 48,000 000

Judicial decision of February 13, 1834, delivered in the town of Faro.

1st Class. Pillage of my house at Mertola, and of my corn warehouses, which took place in 1833, when the Liberal troops entered that town and afterwards retreated from it; the said loss, together with the interest thereupon, up to this day's date, amounting to 1,700 000

Twenty-five documents.

1st Class. Rent of 2 houses at Gibraltar, provided with all necessary furniture, one of which was occupied by the late Archbishop Ataite and his suite, and the other by the whole of the Liberal emigrants, amounting to 120,000 reis per mensem for each house, and the interest thereupon up to this day's date—that is to say, for 3 years and a half 18,144 000

Five documents and receipt.

1st. Class. For muskets given to Colonel Almeidas for the defence of Olhão, as is proved by the Baron de Faro's receipt, amounting, together with interest up to this day's date, to 1,200 000

Three documents, Nos. 120, 121, 149.

2nd Class. The arrears of my salary, and on account of Her Most Faithful Majesty's Government having kept me in that state without any decision on my case, and in order to restore me to my former position, and to pay me all my indemnities and salary, which the financial agency of London kept back from me without reason, as is proved by the letter from that agency, dated 24th March, 1844, unjustly pretending that I had given a receipt in full to Her Most Faithful Majesty's Government, and therefore only paying me 197*l.* 14*s.* 3*d.* on account of my salary; on which

account I consider myself, according to the laws of humanity and the laws of nations, entitled to the full payment of my salary, amounting, for the said 3 years, up to December 31, 1844, at the rate of one conto and 200,000 reis per annum (and not to the end of 1842), with its proper interest, according to the exchange of this place, to 4,032 000

Two certificates.

1st. Class. For 2 years' service in the war of the Algarves, with the division of operations, in the capacity of paymaster and commissary of the said division, according to the British tariff 2,800 000

As is proved by the documents and despatches of the Viscount Sá da Bandeira, dated May 25, 1844.

2nd Class. For my voyage from Lisbon to Genoa, and from Genoa to Greece, by order of Her Majesty's Government, in order to carry on the Portuguese Consulate-General in Greece, in the same way as Her Most Faithful Majesty's Government have paid the expenses of M. Vidal, of M. Joachimo Barassor Ferrera, and others; and I have in my possession an order from the very excellent nobleman, the Marquis de Loulé, Minister at that period, to undertake that voyage at the expense of Her Most Faithful Majesty's Government, amounting to 1,550 Spanish tallaris, with interest for 5 years at 12 per cent., according to the rate of interest of the Royal Bank of this country (Athens), which, added to the sum of 1 conto of reis for my return to Lisbon, makes a total of 3,160 000

Four documents.

2nd Class. Expenses of the chancery of the Consulate-General in 1842, according to the accounts sent in to the Minister for Foreign Affairs, amounting, for the 4 quarters, to 94 915

2nd Class. For 2 protests by the London Agency on my bills drawn for the payment of my salary, as is proved by the said protests, and for the exchange and re-exchange paid to M. A. Malandrinos and Co., and to Th. Ralli 134 400

Total 94,645 315

The above-sum amounts to 94 contos, 645,315 reis, making in pounds sterling, at the exchange of 54 pence for 1,000 reis, the sum of 21,295*l.* 1*s.* 4*d.*

D. PACIFICO,

No. 22.—Viscount Palmerston to Mr. Campbell Johnston.

SIR, *Foreign Office, May 23, 1851.*

I HAVE received your despatch of the 9th instant, inclosing the report of the Mixed Commission which has sat at Lisbon for the investigation of the remaining claims of M. Pacifico upon the Government of Greece.

I have the satisfaction to inform you that Her Majesty's Government have entirely approved your conduct in the performance of the duties with which you have been charged as British Commissioner in this inquiry.

Her Majesty's Government have had no other object in view in regard to this matter than to ascertain what was just and true, and they are perfectly satisfied that the report of the Commissioners is in full accordance with truth and justice. I am, &c.

C. Johnston, Esq.

PALMERSTON.

No. 23.—Viscount Palmerston to the Right Hon. T. Wyse.

SIR, *Foreign Office, May 24, 1851.*

I TRANSMIT herewith copies of a despatch and its inclosures which I have received from Mr. Campbell Johnston, transmitting the report of the Mixed Commission which has sat at Lisbon for the investigation of the remaining claims of M. Pacifico upon the Government of Greece.

You will learn from this report that the Commissioners have stated it to be their opinion, that M. Pacifico is entitled to receive from the Government of Greece the sum of 150*l.*; and in conformity with the terms of Article II of the Treaty between Great Britain and Greece, of the 18th of July, 1850, I have to instruct you to apply to the Hellenic Government to pay you that sum on account of M. Pacifico. I am, &c.

The Right Hon. T. Wyse.

PALMERSTON.

No. 24.—The Right Hon. T. Wyse to Visc^t. Palmerston.—(Rec. June 19.)

MY LORD, *Athens, June 5, 1851.*

I HAVE the honour to inclose a copy of a note, in which, in obedience to the instructions contained in your Lordship's despatch of the 24th ultimo, I have applied to the Greek Government to pay me 150*l.* on account of M. Pacifico. I have, &c.

Viscount Palmerston, G.C.B.

THIOS WYSE.

(Inclosure.)—The Right Hon. T. Wyse to M. Païcos.

SIR, *Athens, June 4, 1851.*

THE Mixed Commission which has sat at Lisbon for the investigation of the remaining claims of M. David Pacifico upon the Government of Greece having terminated the inquiry, and unani-

mously come to the opinion, as appears from their joint report, that M. Pacifico is entitled to receive from the Greek Government the sum of 150*l.*, I am instructed by Viscount Palmerston, Her Majesty's Principal Secretary of State for Foreign Affairs, in conformity with the terms of Article II of the Treaty between Great Britain and Greece, of the 18th of July, 1850, to apply to the Hellenic Government to pay me that sum on account of M. Pacifico.

I have, &c.

M. Païcos.

THOS. WYSE.

No. 25.—The Right Hon. T. Wyse to Visc^t. Palmerston.—(Rec. June 28.)

MY LORD,

Athens, June 18, 1851.

I HAVE the honour to inclose to your Lordship copy of a note of the $\frac{1^{st}}{13^{th}}$ instant, from M. Païcos, in reply to mine of the 4th instant, placing at my disposal, for M. Pacifico, the sum of 150*l.*, pursuant to the award of the joint Commission lately met at Lisbon.

I have also the honour to inclose copies of my reply to M. Païcos, and of the receipt which I have given to the Central Treasurer of the Greek Government.

The 150*l.* has been paid by the Greek Government at par, that is, at the rate of 28 drachms 12 leptas the pound sterling, so that the sum which I have actually received is 4,218 drachms; and I now respectfully await your Lordship's instructions as to the application of the same.

I have, &c.

Viscount Palmerston, G.C.B.

THOS. WYSE.

(Inclosure 1.)—M. Païcos to the Right Hon. T. Wyse.

MONSIEUR,

Athènes, le $\frac{1}{13}$ Juin, 1851.

EN réponse à l'office que vous m'avez fait l'honneur de m'adresser sous la date du 4 Juin, j'ai l'honneur de vous prévenir que la somme de 150 livres sterling, qui aux termes du rapport en date du 5 Mai dernier, de la Commission Mixte de Lisbonne, doit être payée à M. Pacifico, est à votre disposition entre les mains du Caissier Central, qui a déjà reçu l'ordre de la remettre, sur votre reçu, à la personne que vous chargeriez de la toucher.

Agréé, &c.

The Right Hon. T. Wyse.

A. PAICOS.

(Inclosure 2.)—The Right Hon. T. Wyse to M. Païcos.

SIR,

Athens, June 18, 1851.

I HAVE the honour to acknowledge the receipt of your note of the $\frac{1^{st}}{13^{th}}$ instant, and to inform you that, in accordance with its contents, I have received from the Central Treasurer of the Greek Government the sum of 4,218 drachms, in payment of the sum of 150*l.* awarded to M. Pacifico by the Mixed Commission which sat at

Lisbon to investigate the claims of that gentleman, in conformity with the terms of the Convention between Great Britain and Greece, of the 18th July, 1850. I have, &c.

M. Païcos.

THOS. WYSE.

(Inclosure 3.)—Receipt.

Athens, June 18, 1851.

THE Undersigned, Her Britannic Majesty's Minister Plenipotentiary to His Majesty the King of Greece, has received from the Central Treasurer of the Greek Government the sum of 4,218 drachms, in payment of the 150*l.* sterling awarded to M. Pacifico by the Mixed Commission which sat at Lisbon to investigate the claims of that gentleman, in conformity with the terms of the Convention between Great Britain and Greece, of the 18th July, 1850.

THOS. WYSE.

No. 26.—M. Pacifico to Viscount Palmerston.

MY LORD,

15, *Bury Street, St. Mary Axe, July 28, 1851.*

A CONSIDERABLE time having elapsed since the Commissioners appointed by the Governments of Great Britain, France, and Greece, met at Lisbon to investigate my claims against the Greek Government, and concluding that they have terminated their labours, I beg most respectfully to inquire of your Lordship if the Commissioners have made their report on the subject referred to, and if so, the nature of the same.

I have, &c.

Viscount Palmerston, G.C.B.

D. PACIFICO.

No. 27.—Mr. Addington to M. Pacifico.

SIR,

Foreign Office, August 1, 1851.

I AM directed by Viscount Palmerston to acknowledge the receipt of your letter of the 28th ultimo, inquiring the result of the investigation which has taken place at Lisbon with regard to your claim upon the Government of Greece, in regard to the loss of documents connected with your claims upon Portugal; and I am to transmit to you a copy of the report of the 3 Commissioners who were appointed by the Governments of Great Britain, France, and Greece, respectively, to examine those matters.

I am also directed by Viscount Palmerston to transmit to you the accompanying cheque on Messrs. Drummond for the sum of 150*l.*, which sum has been paid by the Greek Government to Her Majesty's Minister at Athens, in conformity with the recommendation contained in the report of the 3 Commissions.

I have to request that you will send me a receipt for the inclosed cheque.

I have, &c.

M. Pacifico.

H. U. ADDINGTON.

LOI de France, portant fixation du Budget des Dépenses de l'Exercice 1851.—Paris, le 29 Juillet, 1850.

Paris, le 29 Juillet, 1850.

L'ASSEMBLÉE NATIONALE a adopté la loi dont la teneur suit :

ART. I. Des crédits sont ouverts jusqu'à concurrence 1,367,242,509 francs, pour les dépenses ordinaires de l'exercice 1851, conformément à l'état A ci-annexé.

II. Des crédits sont ouverts jusqu'à concurrence de 67,391,538 francs, pour les travaux extraordinaires de l'exercice 1851, conformément au même état A ci-annexé.

III. Les dépenses des services spéciaux portés pour ordre au budget de l'Etat et les recettes des mêmes services sont fixées à la somme de 21,027,392 francs pour l'exercice 1851, conformément au tableau B ci-annexé.

IV. Les dépenses du service départemental et les ressources spécialement attribuées à ce service par la Loi du 10 Mai, 1838, sont évaluées à la somme de 104,039,330 francs, pour l'exercice 1851, et leur affectation par section spéciale est et demeure déterminée conformément au tableau C ci-annexé.

V. Les dépenses du service colonial et les ressources attribuées audit service sont évaluées à la somme de 17,902,600 francs, pour l'exercice 1851, et leur affectation est et demeure déterminée conformément au tableau D ci-annexé.

VI. L'effectif à entretenir en Algérie au delà duquel il y aura lieu à l'application du deuxième paragraphe de l'Article IV de la Loi des Finances du 11 Juin, 1842, est fixé, pour l'année 1851, à 75,000 hommes et 16,428 chevaux.

VII. Il sera rendu un compte spécial et distinct de l'emploi des crédits ouverts à chacun des paragraphes des chapitres 22, 26, et 37 du budget du Ministère de la Guerre pour travaux extraordinaires civils et militaires à exécuter en 1851 sur divers points de l'Algérie ces crédits ne pourront recevoir aucune autre affectation.

VIII. Il est ouvert au Ministre de la Guerre un crédit de 1,500,000 francs pour l'inscription, au trésor public, des pensions militaires à liquider dans le courant de l'année 1851.

IX. Pourront seuls, en 1851, donner ouverture, par décrets du Président de la République, à des crédits supplémentaires, pour insuffisance d'allocations dûment justifiée, et en cas de prorogation de l'Assemblée Nationale, les services dont la nomenclature suit :

NOMENCLATURE DES SERVICES VOTES POUR 1851.

Ministère de la Justice.

Frais de justice criminelle.

Ministère des Affaires Etrangères.

- 1° Frais d'établissement des agents politiques et consulaires.
- 2° Frais de voyage et de courriers.

Ministère de l'Instruction Publique et des Cultes.

- 1° Traitements éventuels des professeurs des facultés.
- 2° Frais de concours dans les facultés et pour l'agrégation des colléges.
- 3° Prix de l'institut et de l'académie nationale de médecine.
- 4° Indemnités pour frais d'établissement des évêques, des archevêques, et des cardinaux.
- 5° Frais de bulle et d'informations.
- 6° Traitement du clergé paroissial.
- 7° Traitement des ministres des cultes non catholiques.

Ministère de l'Intérieur.

- 1° Dépenses ordinaires du service intérieur des maisons centrales de force et de correction.
- 2° Remboursement sur le produit du travail des condamnés détenus dans les maisons centrales de force et de correction.
- 3° Transfert des condamnés aux bagnes et aux maisons centrales de force et de correction.
- 4° Dépenses départementales.

Ministère de l'Agriculture et du Commerce.

- 1° Encouragements aux pêches maritimes.
- 2° Frais relatifs à la mise en vente des eaux thermales.
- 3° Frais relatifs à la publication des brevets d'invention.
- 4° Achats de fourrage pour les animaux reçus dans les hôpitaux des écoles vétérinaires et pour les haras et dépôts d'étalons.

Ministère des Travaux Publics.

- 1° Frais de police et de surveillance sur les chemins de fer.
- 2° Frais d'entretien et d'exploitation des lignes de chemins de fer.

Ministère de la Guerre.

- 1° Frais de procédure des conseils de guerre et de révision.
- 2° Achats de grains et de rations toutes manutentionnées.
- 3° Achats de liquides.
- 4° Achats de combustibles.
- 5° Achats de fourrages pour les chevaux de troupe et de gendarmerie (troupes Françaises et services militaires indigènes).

6° Dépenses de transport d'armes, de munitions, d'effets d'hôpitaux et de couchage.

7° Solde de non activité et solde de réforme, créées par la Loi du 19 Mai, 1834.

8° Dépenses d'exploitation et de fabrication du service des poudres et salpêtres, et ventes de poudres par les entreposeurs en Algérie.

9° Frais de bourses et dépenses de premier équipement pour les élèves des écoles militaires.

Ministère de la Marine et des Colonies.

1° Achats de vivres.

2° Justice maritime.

3° Affrètements.

4° Frais de bourses et de premier équipement pour les élèves de l'école navale.

Ministère des Finances.

1° Dette publique (dette perpétuelle et amortissement).

2° Intérêts, primes et amortissements des emprunts pour ponts et canaux.

3° Intérêts de la dette flottante.

4° Intérêts des cautionnements.

5° Dette viagère.

6° Pensions (chapitres 12, 13, 14, 15, et 16).

7° Frais judiciaires de poursuites et d'instances, et condamnations prononcées contre le trésor public.

8° Frais de trésorerie.

9° Frais de service des receveurs généraux et particuliers des finances.

10° Frais de perception, dans les départements, des contributions directes, et des taxes perçues en vertu des rôles.

11° Remises pour la perception, dans les départements, des droits d'enregistrement.

12° Contributions des bâtiments et des domaines de l'Etat, et des biens séquestrés.

13° Frais d'estimation, d'affiche et de vente de mobilier et de domaines de l'Etat.

14° Dépenses relatives aux épaves, déshérences et biens vacants.

15° Achat de papiers pour passe-ports et permis de chasse.

16° Achat de papier à timbrer, frais d'emballage et de transport.

17° Travaux d'abatage, et de façonnage des coupes de bois à exploiter par économie.

18° Portion contributive de l'Etat dans la réparation des chemins vicinaux.

19° Frais d'adjudication des produits des forêts et des droits de chasse et de pêche.

20° Avances recouvrables et frais judiciaires.

21° Remises pour la perception des contributions indirectes dans les départements.

22° Achat de papier filigrané pour les cartes à jouer.

23° Contribution foncière des bacs, canaux, et francs-bords.

24° Service des poudres à feu.

25° Dépenses des manufactures de tabac (gages, salaires, et fournitures diverses).*

26° Primes pour saisies de tabacs et arrestations de colporteurs.

27° Achat de lettres venant de l'étranger.

28° Service des dépêches par les chemins de fer.

29° Réparation des paquebots employés au transport des dépêches.

30° Frais d'hôpitaux et de quarantaine (paquebots de la Méditerranée).

31° Frais de pilotage et d'assistance des paquebots.

32° Frais de justice, de poursuite, d'arrestation des marins des paquebots des postes absents sans congés;—pertes et avaries.

33° Transport des dépêches par entreprise.

34° Remboursements, restitutions, non-valeurs, primes et es-comptes.

X. Les dispositions de l'Article XVII de la Loi du 10 Mai, 1838, en ce qui concerne la portion du fonds commun distribuée à titre de secours, afin de compléter les moyens de pourvoir aux dépenses pour constructions neuves, ne recevront pas leur application pour les budgets départementaux de 1851.

XI. La maison d'éducation pour les filles des membres de la Légion d'Honneur, établie à Paris, rue Barbette, sera transférée au château d'Ecouen, qui appartient à la Légion d'Honneur.

XII. Les bâtiments et dépendances de l'établissement de la rue Barbette seront vendus avec publicité et concurrence, dans les formes prescrites par les lois existantes pour l'adjudication et le mode de paiement des domaines appartenant à l'Etat.

XIII. Le montant de l'adjudication sera versé dans la caisse de la Légion d'Honneur.

XIV. Un crédit de 195,502 francs, est ouvert pour subvenir aux travaux d'appropriation du château d'Ecouen au service d'une maison d'éducation pour les filles de la Légion d'Honneur, suivant les plans et devis produits et déposés aux archives de l'Assemblée Nationale.

XV. Il sera pourvu aux dépenses ordonnées par le précédent Article, au moyen du produit de la vente des bâtiments et dépendances de la maison de la rue Barbette, et subsidiairement, tant que les paiements ne seront pas effectués, au moyen des avances que la

caisse des dépôts et consignations est autorisée à faire à la Légion d'Honneur.

XVI. Toute première demande de fonds destinés à des constructions d'édifices, de routes, ponts, canaux, et autres grands travaux publics, sera accompagnée de devis, plans ou avant-projets faisant connaître l'application des fonds demandés et l'étendue de la dépense.

Les documents remis à l'appui de la demande de crédits seront déposés aux archives de l'Assemblée Législative.

Délibéré en séance publique, à Paris, le 29 Juillet, 1850.

Le Président et les Secrétaires,

DUPIN.

PEUPIN.

ARNAUD (de l'Ariège).

CHAPOT.

LACAZE.

BERARD.

La présente loi sera promulguée et scellée du sceau de l'Etat.

Le Président de la République,

LOUIS-NAPOLÉON BONAPARTE.

Le Garde des Sceaux, Ministre de la Justice, E. ROUHER.

(Etat A.)—*BUDGET GENERAL des Dépenses de l'Exercice, 1851.*

MINISTÈRES ET SERVICES.						MONTANT DES CREDITS ACCORDÉS.
<i>Ire Partie.—Dettes Publiques.</i>						
1°. <i>Dettes Consolidées et Amortissement.</i>						<i>Francs.</i>
Rentes 5 p. cent.	..	..	..	..	..	187,188,592
Rentes 4½ p. cent.	..	..	..	..	..	895,302
Rentes 4 p. cent.	..	..	..	..	..	2,371,911
Rentes 3 p. cent.	..	..	..	..	..	52,554,830
Fonds d'Amortissement, dotation annuelle	..	..	..	..	..	64,818,825
TOTAL pour la Dette Consolidée et l'Amortissement						<i>Francs</i> 307,829,460
2°. <i>Emprunts Spéciaux pour Canaux et Travaux divers.</i>						
Intérêts et Primes des Emprunts à rembourser par le Trésor	..	..	..	..	..	5,298,619
Amortissement des Emprunts à rembourser par le Trésor	..	..	..	..	..	3,661,681
TOTAL pour les Emprunts Spéciaux						<i>Francs</i> 8,960,300
3°. <i>Intérêts de Capitaux Remboursables à divers Titres.</i>						
Intérêts de Capitaux de Cautionnements	..	..	..	..	..	7,000,000
Intérêts de la Dette Flottante du Trésor	..	..	..	..	..	22,000,000
TOTAL pour les Intérêts de Capitaux Remboursables à divers titres						<i>Francs</i> 29,000,000

MINISTÈRES ET SERVICES.				MONTANT DES CREDITS ACCORDÉS.
4°. Dette Viagère.				Francs.
Douaire de Mme. la Duchesse d'Orléans	..	..	..	300,000
Rentes Viagères	..	..	..	1,800,000
Pensions de l'Ancienne Pairie	..	..	..	365,000
Pensions Civiles. (Décret du 13 Septembre, 1806)	..	..	..	1,400,000
Pensions à Titre de Récompense Nationale	..	..	..	208,000
Pensions Militaires	..	..	..	38,000,000
Pensions Ecclésiastiques	..	..	..	388,000
Pensions de Donataires dépossédés	..	..	..	1,171,000
Pensions accordées sur la Caisse de Vétérance de l'Ancienne Liste Civile. (Loi du 29 Juin, 1835)	..	..	..	600,000
Pensions et Indemnités accordées à des Employés Réformés de divers Ministères	..	..	..	783,000
Subvention à la Caisse des Retraites des Employés de l'Ancienne Chambre des Pairs. (Décret du 23 Octobre, 1848)	..	..	..	50,000
Secours aux Pensionnaires de l'Ancienne Liste Civile	..	..	..	300,000
TOTAL pour la Dette Viagère				Francs 45,365,000

Récapitulation de la Ire Partie.—Dette Publique.

1° Dette Consolidée et Amortissement	..	..	..	307,829,460
2° Emprunts Spéciaux pour Canaux et Travaux divers	..	..	..	8,960,300
3° Intérêts de Capitaux Remboursables à divers titres	..	..	..	29,000,000
4° Dette Viagère	..	..	..	45,365,000
TOTAL de la Ire Partie				Francs 391,154,760

Ile Partie.—Dotations.

Assemblée Nationale	..	..	..	..	7,744,620
Pouvoir Exécutif:					
Traitement de M. le Président de la République	..	..	..	600,000	
Frais de Représentation	..	..	..	600,000	
Traitement de M. le Vice-Président de la République	..	..	..	48,000	
					1,248,000
TOTAL de la Ile Partie				Francs	8,992,620

IIIe Partie.—Services Généraux des Ministères.

MINISTÈRE DE LA JUSTICE.

Administration Centrale.

Personnel	..	..	..	..	391,600
Matériel	..	..	..	..	88,000
					479,600

Tribunal des Conflits.

Traitement du Greffier, Dépenses et Menues Dépenses du Tribunal	6,000
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Conseil d'Etat.

Personnel	823,100
Matériel	40,000
Frais Extraordinaires de Copies et d'Impressions	15,000
					878,100

MINISTÈRES ET SERVICES. MONTANT DES
CREDITS ACCORDÉS.

Cours et Tribunaux.

				<i>Francs.</i>	<i>Francs.</i>
Cour de Cassation	..	..	..	793,800	
Cours d'Appel	..	..	..	5,233,900	
Cours d'Assises	..	..	..	154,400	
Tribunaux de Première Instance	..	..	..	7,697,295	
Tribunaux de Commerce	..	..	..	180,700	
Tribunaux de Police	..	..	..	62,900	
Justices de Paix	..	..	..	6,047,800	
Service de la Justice en Algérie	..	..	..	627,850	
				<hr/>	20,798,645

Frais de Justice.

Frais de Justice Criminelle et des Statistiques	4,354,000
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Dépenses Diverses.—Secours temporaires à d'Anciens Magistrats et Employés de l'Administration Centrale, à leurs veuves et orphelins n'ayant pas droit à pension; dépenses extraordinaires et imprévues; indemnité au "Journal des Savants"				55,000
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Dépenses des Exercices Clos	Mémoire.
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TOTAL pour le Ministère de la Justice	<i>Francs</i>	26,571,345
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MINISTÈRE DES AFFAIRES ÉTRANGÈRES.

Administration Centrale.

Personnel	417,400	
Matériel	..	..	..	..	143,000	
					<hr/>	560,400

Traitements des Agents du Service Extérieur.

Traitements des Agents Politiques et Consulaires	3,660,800	
Traitements des Agents en Inactivité	..	75,000
	<hr/>	3,735,800

Dépenses variables.

Frais d'Etablissement	..	..	..	275,000
Frais de Voyages et de Courriers	..	..	..	490,000
Frais de Service	..	..	..	990,000
Présents Diplomatiques	..	..	..	30,000
Indemnités et Secours	..	..	..	52,500
Dépenses Secrètes	320,000
Missions Extraordinaires	368,000
Dépenses imprévues	30,000
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				2,555,500

Subvention à la Caisse des Retraites	224,519
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Dépenses des Exercices Clos	Mémoire.
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TOTAL pour le Ministère des Affaires Étrangères.	<i>Francs</i>	7,076,219
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MINISTÈRES ET SERVICES.

MONTANT DES
CREDITS ACCORDÉS.

MINISTÈRE DE L'INSTRUCTION PUBLIQUE ET DES CULTES.

Ire Partie.—Dépenses de l'Instruction Publique.

Administration Centrale.

	Francs.
Personnel	367,250
Indemnité aux Employés Supprimés	11,100
Matériel	86,000
Membres de la Section Permanente du Conseil Supérieur de l'Instruction Publique et des Inspecteurs	226,000
Services Généraux de l'Instruction Publique	104,000
Ecole Normale Supérieure	225,780
Administration Académique	810,400
Facultés de Théologie	115,660
Facultés de Droit	776,700
Facultés de Médecine	702,440
Facultés des Sciences	470,700
Facultés des Lettres	472,696
Ecoles Supérieures de Pharmacie	164,000
Dépenses Communes à Toutes les Facultés. (Remises, accroissement des collections et Bibliothèques.)	71,100
Instruction Secondaire. (Frais Généraux)	87,000
Instruction Secondaire. (Lycées et Collèges Communaux)	2,319,200
Instruction Primaire. (Inspection.)	765,999
Instruction Primaire. (Dépenses imputables sur les Fonds Généraux du Budget)	5,412,416
Instruction Primaire. (Dépenses imputables sur les Fonds Départementaux)	4,431,000
Instruction Primaire. (Dépenses imputables sur les Ressources Spéciales des Ecoles Normales Primaires)	555,000

Sciences et Lettres.

Institut de France	570,300
Collège de France	180,000
Muséum d'Histoire Naturelle	469,780
Etablissements Astronomiques	121,760
Bibliothèque Nationale. (Dépenses Ordinaires.—Cours d'Archéologie)	289,000
Bibliothèque Nationale. (Crédit Extraordinaire.—Annuité)	40,000
Bibliothèques Publiques	213,900
Académie Nationale de Médecine	44,200
Ecole des Chartes	35,400
Ecole Spéciale des Langues Orientales vivantes et Cours d'Arabe vulgaire à Marseille	55,800
Souscriptions	120,000
Encouragements et Secours aux Savants et Gens de Lettres	180,000
Sociétés Savantes	35,000
Voyages et Missions Scientifiques. (Ecole Française d'Athènes.—Lectures Publiques du Soir)	61,200
Recueil et Publication de Documents inédits de l'Histoire Nationale	120,000
Subvention aux Caisses de Retraite du Ministère	750,000

MINISTÈRES ET SERVICES.	MONTANT DES CREDITS ACCORDÉS.	
	<i>Francs.</i>	<i>Francs.</i>
Dépenses de l'Instruction Publique en Algérie .. ..	.. ..	184,200
Subvention à la ville de Rennes pour construction d'un édifice destiné au service de l'Instruction Publique. (Loi du 20 Février, 1849) .. ..	.. ..	37,500
Dépenses des Exercices Clos .. ..	.. ..	Mémoire.
TOTAL des Dépenses de l'Instruction Publique.	<i>Francs</i>	21,682,481

IIe Partie.—Dépenses des Cultes.

1°. Service Ordinaire.

Administration Centrale.

Personnel des Bureaux des Cultes	169,900	
Matériel et Dépenses diverses des Bureaux des Cultes ..	25,000	
Subvention au Fonds des Retraites des Employés des Cultes ..	41,022	
		235,922

Culte Catholique.

Traitements et Dépenses concernant les Cardinaux, Archevêques, et Evêques ..	1,047,000	
Traitements et Indemnités des Membres des Chapitres et du Clergé Paroissial ..	32,505,850	
Chapitre de Saint-Denis	69,000	
Bourses des Séminaires	1,000,000	
Secours à des Ecclésiastiques et à d'Anciennes Religieuses	765,000	
Dépense de Service Intérieur des Edifices Diocésains	462,500	
Entretien des Edifices Diocésains	600,000	
Grosses réparations des Edifices Diocésains ..	1,100,000	
Secours pour Acquisitions ou Travaux concernant les Eglises et Presbytères ..	1,000,000	
Secours à divers Etablissements Ecclésiastiques ..	100,000	
Dépenses accidentelles	5,000	
Restauration de la Cathédrale de Paris. (Loi du 19 Juillet, 1845.)	—	
		38,654,350

Cultes non Catholiques.

Dépenses du Personnel des Cultes Protestants ..	1,169,550	
Dépenses du Matériel des Cultes Protestants ..	84,000	
Frais d'Administration du Directoire-Général de la Confession d'Augsbourg	16,000	
Dépenses du Culte Israélite	148,100	
		1,417,650
Dépenses des Cultes en Algérie .. ..	.. ..	476,800
Dépenses des Exercices Clos .. ..	.. ..	Mémoire.
		40,784,722

MINISTERES ET SERVICES.		MONTANT DES CREDITS ACCORDES.	
2°. <i>Travaux Extraordinaires.</i>			
		<i>Francs.</i>	<i>Francs.</i>
Travaux Extraordinaires aux Edifices Diocésains, Eglises, Temples et Presbytères			250,000
TOTAL des Dépenses des Cultes		<i>Francs</i>	<u>41,034,722</u>
RECAPITULATION.			
Ire Partie.—Dépenses de l'Instruction Publique			21,682,481
Ile Partie.—Dépenses { Service Ordinaire		40,784,722	
des Cultes .. { Travaux Extraordinaires		250,000	
		<u> </u>	<u>41,034,722</u>
TOTAL pour le Ministère de l'Instruction Publique et des Cultes		<i>Francs</i>	62,717,203

MINISTERE DE L'INTERIEUR.

*Services Imputables sur les Fonds Généraux du Budget.**Administration Centrale.*

Traitement du Ministre et Personnel de l'Ad- ministration Centrale	689,900	
Matériel et Dépenses diverses des Bureaux ..	180,000	
Subvention à la Caisse des Retraites des Em- ployés de l'Administration Centrale ..	160,000	
Archives Nationales	108,000	
		1,137,900

Services Divers.

Dépenses Secrètes Ordinaires de Police Générale	832,000	
Dépenses du Personnel des Lignes Télégraphiques	1,080,105	
Dépenses du Matériel des Lignes Télégraphiques	134,055	
Dépenses Générales du Personnel des Gardes Nationales	112,000	
Dépenses Générales du Matériel des Gardes Nationales	66,000	
Dépenses relatives à la surveillance de la Librairie provenant de l'Etranger et des Contrefaçons	10,000	
		2,234,160

Beaux-Arts.

Etablissements des Beaux-Arts	454,500	
Musées Nationaux. (Personnel)	168,700	
Musées Nationaux. (Matériel)	141,700	
Ouvrages d'Art et Décoration d'Edifices Publics	900,000	
Acquisitions de Tableaux et Statues pour le Musée du Louvre	50,000	
Conservation d'Anciens Monuments Historiques	745,000	
Encouragements aux Beaux-Arts et à l'Art Dramatique	75,000	
Souscriptions à divers ouvrages concernant les Beaux-Arts	136,000	
Indemnités annuelles ou Secours accordés à des Artistes, Auteurs Dramatiques, Composi- teurs, et à leurs Veuves	137,700	

MINISTÈRES ET SERVICES.

MONTANT DES
CREDITS ACCORDÉS.

	<i>Francs.</i>	<i>Francs.</i>
Subventions aux Théâtres Nationaux ..	1,334,000	
Subvention à la Caisse des Pensions de l'Opéra	200,000	
Subvention à la Caisse des Retraites du Conservatoire de Musique	10,000	
	<hr/>	4,352,600

Secours et Subventions.

Secours aux Etablissements Généraux de Bienfaisance	599,560	
Secours Généraux aux Hospices, Bureaux de Charité, et Institutions de Bienfaisance ..	300,000	
Secours à des Personnes dans l'Indigence, et qui ont des droits à la bienveillance du Gouvernement: Frais de Rapatriement de Français Indigents, &c.	677,000	
Secours à Divers Titres	450,000	
Subventions pour Construction de Ponts à Péage sur des Chemins Vicinaux ..	400,000	
Secours aux Sociétés de Charité Maternelle ..	120,000	
Secours aux Etrangers Réfugiés en France ..	1,200,000	
	<hr/>	3,746,560

*Services Départementaux à la Charge des Fonds Généraux du Budget.**Administration Départementale.*

Traitements et Indemnités aux Fonctionnaires Administratifs des Départements ..	2,612,300	
Traitements et Indemnités aux Commissaires de Police	100,000	
Abonnements pour frais d'Administration des Préfectures et Sous-Préfectures ..	5,086,000	
Inspections Administratives de Services Départementaux	111,000	
	<hr/>	7,909,300

Détention des Condamnés.

Dépenses Ordinaires des Condamnés à plus d'un an de détention, renfermés dans les Maisons Centrales de Force et de Correction ou autres Prisons; Réparation des Bâtiments, Mobilier, &c.	6,000,000	
Remboursement sur le produit du travail des Condamnés détenus dans les Maisons Centrales de Force et de Correction ..	1,400,000	
Transport des Condamnés aux Bagnes et aux Maisons Centrales de Force et de Correction; Reprise d'Evadés	400,000	
Subvention à la Caisse des Retraites des Employés du Service des Prisons	60,000	
	<hr/>	7,860,000

MONTANT DES
CREDITS ACCORDES.

MINISTERES ET SERVICES.

Matériel des Cours d'Appel.

	Francs.	Francs.
Loyers, entretien et réparations de bâtiments, mobilier et menues dépenses des Cours d'Appel; Frais d'occupation du Palais de Justice de Paris par la Cour de Cassation..	400,000	
Travaux de construction au Palais de la Cour d'Appel de Pau	150,000	550,000
Dépenses des Exercices Clos		Mémoire.
TOTAL des Dépenses imputables sur les Fonds Généraux du Budget	Francs	27,790,520

SERVICE DEPARTEMENTAL IMPUTABLE SUR RESSOURCES SPECIALES.

Dépenses Ordinaires.

Dépenses imputables sur le produit des centimes additionnels concédés aux Départements (10 centimes $\frac{4}{10}$)	20,352,800	
Dépenses sur le produit du Fonds Commun à répartir par Décret du Président de la République (7 centimes)	13,699,000	
Dépenses sur les produits éventuels ordinaires	1,300,000	35,351,800

Dépenses Facultatives.

Dépenses d'utilité Départementale imputables sur le produit des centimes facultatifs votés par les Conseils Généraux (maximum : 7 centimes $\frac{6}{10}$ dans 85 Départements, et 14 centimes $\frac{6}{10}$ dans la Corse)	14,836,530	
Dépenses sur les produits éventuels facultatifs	380,000	
Dépenses sur Subventions Communales et Particulières, et autres produits destinés à des Travaux d'Utilité Départementale	800,000	16,066,530

Dépenses Extraordinaires.

Dépenses imputables sur le produit des centimes additionnels extraordinaires imposés en vertu de lois spéciales	20,250,000	
Dépenses sur les Fonds d'Emprunts autorisés par des lois particulières	4,000,000	24,250,000

Dépenses Spéciales.

Dépenses des Chemins Vicinaux imputables sur le produit des centimes additionnels spéciaux (maximum 5 centimes)	12,085,000	
Dépenses sur Subventions Communales et souscriptions particulières	11,000,000	23,085,000

TOTAL des Dépenses Départementales imputables sur ressources spéciales *Francs* 98,753,330

MINISTÈRES ET SERVICES.		MONTANT DES CREDITS ACCORDÉS
RECAPITULATION.		<i>Francs.</i>
Dépenses imputables sur les fonds généraux du Budget ..		27,790,520
Dépenses Départementales imputables sur ressources spéciales ..		98,753,330
TOTAL pour le Ministère de l'Intérieur	<i>Francs</i>	<u>126,543,850</u>

MINISTÈRE DE L'AGRICULTURE ET DU COMMERCE.

Service Central.

Administration Centrale. (Personnel) ..	463,150	
Administration Centrale. (Matériel) ..	100,000	
Subvention à deux Caisses de Retraite ..	150,000	
		<u>713,150</u>

Agriculture et Haras.

Ecoles Vétérinaires	773,900	
Enseignement Professionnel de l'Agriculture..	2,499,250	
Encouragements à l'Agriculture	700,000	
Haras, Dépôts d'Etalons, &c.	1,556,400	
Remontes des Haras et Encouragements à l'Industrie particulière	1,100,000	
		<u>6,629,550</u>

Manufactures, Commerce Intérieur et Extérieur.

Manufactures nationales de Sèvres, des Gobelins et de Beauvais	635,086	
Conservatoire et Ecoles des Arts et Métiers ..	1,151,000	
Encouragements aux Manufactures et au Commerce, Missions, &c.	273,000	
Frais de Surveillance des Sociétés et Agences Tontinières	20,000	
Encouragements aux Pêches Maritimes ..	4,000,000	
Poids et Mesures	719,000	
		<u>6,798,086</u>

Etablissements Thermaux et Service Sanitaire.

Entretien des Etablissements Thermaux ..	270,000	
Subvention aux Etablissements particuliers d'Eaux Minérales	37,500	
Etablissements et Services Sanitaires ..	240,000	
		<u>547,500</u>

Secours.

Secours aux Colons de Saint Domingue, &c. ..	735,000	
Secours pour Pertes Matérielles et Evénements Malheureux	1,957,000	
Dépenses des Exercices Clos		Mémoire.
Dépenses des Exercices Périmés		Mémoire.
Frais de Surveillance des Associations Ouvrières		77,000

TOTAL pour le Ministère de l'Agriculture et du Commerce	<i>Francs</i>	<u>17,457,286</u>
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MONTANT DES
CREDITS ACCORDES.

MINISTERES ET SERVICES.

MINISTERE DES TRAVAUX PUBLICS.

1°. *Service Ordinaire.*

	<i>Francs.</i>
Traitement du Ministre et Personnel de l'Administration Centrale	490,550
Matériel et Dépenses diverses des Bureaux de l'Administration Centrale	110,000
Personnel du Corps des Ponts et Chaussées	3,426,049
Personnel des Conducteurs Embrigadés	3,640,000
Personnel du Corps des Mines, Enseignement, Ecoles	545,000
Personnel des Gardes-mines	83,500
Personnel des Officiers, et Maîtres de Port du Service Maritime, et des Inspecteurs de la Navigation	140,000
Contrôle et Surveillance des Chemins de Fer	350,000
Conseil des Bâtiments Civils	32,000
Personnel des Edifices Publics et des Palais Nationaux	562,300
Frais de régie des Palais Nationaux et des Edifices Publics	735,000
Subvention à la Caisse des Retraites.	535,417
Routes Nationales et Ponts. Travaux Ordinaires	29,000,000
Navigation Intérieure. (Rivières.) Travaux Ordinaires	5,575,000
Navigation Intérieure. Canaux.) Travaux Ordinaires	4,288,000
Ports Maritimes, Phares, et Fanaux. Travaux Ordinaires	3,750,000
Dunes et Semis, Etudes d'Irrigations et de Dessèchements	500,000
Exploitation de Grandes Lignes de Chemins de Fer	7,050,000
Matériel des Mines. (Services divers.)	50,000
Entretien des Palais Nationaux	1,080,040
Entretien et réparations ordinaires des Bâtiments Civils et Edifices d'intérêt général	530,000
Constructions et grosses réparations des Palais Nationaux et Bâtiments Civils	1,068,389
Frais Généraux, Secours, &c.	35,000
Subventions aux Compagnies pour Travaux à exécuter par voie de concession de Péage	350,000
Dépenses des Exercices Clos	Mémoire.
TOTAL de la 1re Section	<i>Francs</i> 63,926,245

2°. *Travaux Extraordinaires.*

Routes et Ponts; Achèvement des lacunes et rectifications	3,600,000
Nouvelles routes de la Corse	205,538
Construction de Ponts	—
Navigation. (Rivières)	2,500,000
Navigation. (Canaux)	2,900,000
Ports Maritimes	5,000,000
Réparations de dommages causés par les Inondations	300,000
Etablissements des Grandes Lignes de Fer	41,560,000
Garantie d'Intérêts et Prêts aux Compagnies Concessionnaires de Chemins de Fer	—
Solde d'une subvention accordée à la Compagnie du Chemin de Fer de Saint-Etienne à Lyon pour la reconstruction du pont de la Mulatière. (Loi du 2 Juillet, 1843)	36,000

MINISTERES ET SERVICES.				MONTANT DES CREDITS ACCORDES.
				<i>Francs.</i>
Isolement du Louvre et prolongement de la rue de Rivoli	..	..	..	3,260,000
Achèvement de la grande cour du Louvre et de ses 4 portiques ;				
établissement de grilles d'enceinte	..	..	..	175,000
Dépenses des Exercices Clos	..	..	..	Mémoire.

TOTAL Travaux Extraordinaires *Francs* 59,476,538

RECAPITULATION.

1°.—Service Ordinaire	..	..	..	63,926,245
2°.—Travaux Extraordinaires	..	..	..	59,476,538

TOTAL pour le Ministère des Travaux Publics *Francs* 123,402,783

MINISTERE DE LA GUERRE.

1°. *Service Ordinaire.*

Administration Centrale (Personnel)	..	..	..	1,655,400
Administration Centrale (Matériel)	..	..	..	285,000
Frais Généraux d'Impressions	..	..	..	248,000
Etats-Majors	..	..	..	14,395,132
Gendarmerie	..	..	..	24,921,655
Garde Républicaine	..	..	..	2,502,789
Recrutement et Réserve	..	..	..	470,000
Justice Militaire	..	..	..	937,150
Solde et Entretien des Troupes	..	..	..	155,133,634
Habillement et Campement	..	..	..	13,799,277
Lits Militaires	..	..	..	5,774,829
Transports Généraux	..	..	..	1,743,074
Remonte Générale	..	..	..	4,837,300
Harnachement	..	..	..	582,175
Fourrages	..	..	..	26,665,568
Solde de non-activité et solde de réforme	..	..	..	478,510
Secours	..	..	..	1,217,000
Dépenses temporaires	..	..	..	302,600
Subvention aux Fonds de Retraite des Employés	..	..	..	781,792
Dépôt Général de la Guerre	..	..	..	131,500
Matériel de l'Artillerie (Intérieur)	..	..	..	5,548,675
Matériel de l'Artillerie (Algérie)	..	..	..	316,300
Poudres et Salpêtres (Personnel)	..	..	..	545,863
Poudres et Salpêtres (Matériel)	..	..	..	3,508,623
Matériel du Génie (Intérieur)	..	..	..	7,630,000
Matériel du Génie (Algérie)	..	..	..	3,100,000
Ecoles Militaires.	..	..	..	2,022,565
Invalides de la Guerre	..	..	..	2,661,705
Gouvernement et Administration Générale de l'Algérie	..	..	..	734,162
Services Militaires Indigènes en Algérie	..	..	..	7,459,545
Service Maritime en Algérie	..	..	..	532,000
Administration Provinciale en Algérie	..	..	..	695,300
Services Financiers en Algérie	..	..	..	1,253,845

MINISTÈRES ET SERVICES.					MONTANT DES CREDITS ACCORDÉS.
					<i>Francs.</i>
Indemnités pour Expropriation en Algérie, antérieures à 1845 ..					400,000
Colonisation en Algérie					1,715,000
Colonies Agricoles en Algérie					2,450,000
Etablissements Disciplinaires en Algérie					700,000
Travaux Civils en Algérie :					<i>Francs.</i>
Personnel des divers Services				333,660	
Travaux Ordinaires				525,000	
Travaux Extraordinaires :					
Dessèchement et Irrigations				250,000	
Routes et Ponts				1,400,000	
Aqueducs, Canaux et Fontaines et Travaux					
de Grande Voirie				250,000	
Port d'Alger				1,800,000	
Ports Secondaires, Phares, et Fanaux ..				400,000	
Bâtiments Civils				420,000	
Travaux sur le Territoire Mixte et sur					
le Territoire Arabe				150,000	
					<hr/>
					5,528,660
Dépenses Secrètes					150,000
Dépenses des Exercices Clos					Mémoire.
					<hr/>
TOTAL Service Ordinaire					<i>Francs</i> 303,814,628
2°. <i>Travaux Extraordinaires.</i>					
Matériel de l'Artillerie (Intérieur)					700,000
Matériel du Génie (Intérieur)					3,010,000
					<hr/>
					3,710,000
					<hr/>
TOTAL pour le Ministère de la Guerre					<i>Francs</i> 307,524,628
					<hr/>

MINISTÈRE DE LA MARINE ET DES COLONIES.

1°. *Service Ordinaire.*SERVICE MARINE. — *Service Central.*

				<i>Francs.</i>	<i>Francs.</i>
Administration Centrale (Personnel) ..				728,900	
Administration Centrale (Matériel) ..				139,600	
					<hr/>
					868,500

Service Général.

Officiers Militaires et Civils				8,128,608
Maistrance, Gardiennage, et Surveillance ..				1,855,973
Solde et Habillement des Equipages et des Troupes				23,707,249
Hôpitaux				1,417,700
Vivres.. .. .				10,672,508
Justice Maritime				91,710
Salaires d'Ouvriers				10,510,000
Approvisionnements Généraux de la Flotte ..				22,437,000
Travaux Hydrauliques et Bâtiments Civils ..				1,731,000
Poudres				318,381

MINISTÈRES ET SERVICES. MONTANT DES
CREDITS ACCORDÉS.

	<i>Francs.</i>	<i>Francs.</i>
Ecole Navale en Rade de Brest	74,000	
Affrètements et Transports par mer	300,000	
Chiourmes	328,000	
Frais Généraux d'Impressions et Achats de Livres	378,000	
Frais de Voyage, Vacations, et Dépenses diverses	1,249,084	
Dépenses Temporaires	120,000	
	<hr/>	83,319,213

Service Scientifique.

Sciences et Arts Maritimes (Personnel)	114,100
Sciences et Arts Maritimes (Matériel)	290,000
Dépenses des Exercices Clos	Mémoire.
	<hr/>
TOTAL des Dépenses du Service Marine ..	<i>Francs</i> 84,591,813
	<hr/>

SERVICE COLONIAL.

Dépenses des Services Militaires { (Personnel)	5,560,500	
aux Colonies { (Matériel)	833,000	
	<hr/>	6,393,500
Dépenses des Colonies régies par la Loi du 25 Juin, 1841 (Martinique, Guadeloupe, Guyane Française et Ile de la Réunion) :		
Service Général	5,415,100	
Service Local	4,398,900	
	<hr/>	9,814,000
Subventions à divers Etablissements Coloniaux		1,125,100
Dépenses Générales des Etablissements Français de l'Océanie		570,000
Dépenses des Exercices Clos		Mémoire.
		<hr/>
TOTAL des Dépenses du Service Colonial	<i>Francs</i>	17,902,600
		<hr/>

2°. Travaux Extraordinaires.

Fort Boyard	—
Casernes dans les Ports de Brest, Rochefort et Toulon	—
Etablissements à créer à Castineau	80,000
Digue et Arsenal de Cherbourg	2,575,000
Curage et défense de la petite rade de Toulon	1,000,000
Amélioration de Port-Vendres	300,000
	<hr/>
TOTAL Travaux Extraordinaires	<i>Francs</i> 3,955,000
	<hr/>

RECAPITULATION.

1°. Service Ordinaire { Service Marine	84,591,813	
{ Service Colonial	17,902,600	
	<hr/>	102,494,413
2°. Travaux Extraordinaires		3,955,000
		<hr/>
TOTAL pour le Ministère de la Marine et des Colonies	<i>Francs</i>	106,449,413
		<hr/>

MINISTÈRES ET SERVICES.					MONTANT DES CREDITS ACCORDÉS.
MINISTÈRE DES FINANCES.					
<i>Cour des Comptes.</i>					
					<i>Francs.</i> <i>Francs.</i>
Personnel	..	..	..	..	956,100
Matériel	..	..	..	..	59,600
					<hr/>
					1,015,700
<i>Administration Centrale des Finances.</i>					
Personnel	..	..	..	..	5,026,860
Matériel	..	..	..	..	613,000
Dépenses Diverses	..	..	..	..	287,660
					<hr/>
					5,927,460
Subvention aux Caisses de Retraites des Admi- nistrations Financières	..	..	..	..	11,455,000
<i>Monnaies et Médailles. (Service des Etablissements Monétaires.)</i>					
Personnel	..	..	..	..	78,200
Matériel	..	..	..	..	87,900
Dépenses Diverses	..	..	..	..	33,900
					<hr/>
					200,000
<i>Service de Trésorerie.</i>					
Frais de Trésorerie	..	..	..	..	3,376,000
Traitements et Frais de Service des Receveurs Généraux et Particuliers des Finances	..	..	..	..	4,761,000
Traitements et Frais de Service des Payeurs dans les Départements	..	..	..	..	1,060,000
					<hr/>
					9,197,000
Dépenses des Exercices Clos	..	..	..	..	Mémoire.
Dépenses des Exercices Périmés non frappées de déchéance	..	..	..	..	255,000
					<hr/>
TOTAL pour le Service Général du Ministère des Finances	..	..	..	..	<i>Francs</i> 28,050,160
					<hr/>
RECAPITULATION DE LA III ^e PARTIE.					
<i>Services Généraux des Ministères.</i>					
Service Ordinaire :					
Ministère de la Justice	..	..	..	..	26,571,345
Ministère des Affaires Etrangères	..	..	..	..	7,076,219
Ministère de l'Instruction Publique et des Cultes :					
Dépenses de l'Instruction Publique	..	..	..	..	21,682,481
Dépenses des Cultes	..	..	..	..	40,784,722
					<hr/>
					62,467,203
Ministère de l'Intérieur	..	..	..	..	126,543,850
Ministère de l'Agriculture et du Commerce	..	..	..	..	17,457,286
Ministère des Travaux Publics	..	..	..	..	63,926,245
Ministère de la Guerre	..	..	..	..	303,814,628
Ministère de la Marine	..	..	..	..	102,494,413
Ministère des Finances	..	..	..	..	28,050,160
					<hr/>
TOTAL pour le Service Ordinaire					<i>Francs</i> 738,401,349
					<hr/>

MINISTÈRES ET SERVICES.					MONTANT DES CREDITS ACCORDÉS.
Travaux Extraordinaires :					<i>Francs.</i>
Ministère des Travaux Publics	..	..	..	..	59,476,538
Ministère de la Guerre	..	..	..	..	3,710,000
Ministère de la Marine	..	..	..	..	3,955,000
Service des Cultes	..	..	..	..	250,000
TOTAL pour les Travaux Extraordinaires					<i>Francs</i> 67,391,538

IVe Partie.—*Frais de Régie, de Perception, et d'Exploitation des
Impôts et Revenus Publics.*

Contributions Directes, Taxes Perçues en vertu de Rôles et Cadastre.

(Service Administratif des Contributions directes et autres Taxes.)

	<i>Francs.</i>	<i>Francs.</i>
Personnel	2,422,700	
Dépenses Diverses	1,664,958	
		4,087,658

Cadastre.

Frais d'Arpentage et d'Expertise :

Dépenses à la Charge du

Fonds Commun .. 50,000

Dépenses imputables sur

le Produit des Cen-

times Facultatifs votés

par les Conseils-Géné-

raux des Départements

300,000

350,000

Frais de Mutation Cadastrale ..

700,000

1,050,000

5,137,658

Frais de Perception des Contributions directes et autres Taxes.

Remises aux Percepteurs ; frais de distribution de Premier Aver-

tissement ; frais Judiciaires et Secours

11,163,972

*Enregistrement, Domaines et Timbre. (Service Administratif, de Perception et
d'Exploitation dans les Départements.)*

Enregistrement et Domaines.

Personnel	9,052,500	
Matériel	240,000	
Dépenses Diverses	1,034,900	
		10,327,400

Timbre.

Personnel [.. ..

434,750

Matériel et Dépenses Diverses ..

558,000

992,750

11,320,150

Forêts. (Service Administratif et de Surveillance dans les Départements.)

Personnel	3,799,400
Matériel	1,797,000
Dépenses Diverses	669,500

6,265,900

MONTANT DES
CREDITS ACCORDES.

MINISTERES ET SERVICES.

Douanes. (Service Administratif et de Perception dans les Départements.)

				Francs.	Francs.
Personnel	..	..	..	23,153,400	
Matériel	..	..	..	519,900	
Dépenses Diverses	..	..	..	1,456,000	
Dépenses du service des Douanes en Algérie	..	..	..	727,000	
				<hr/>	25,856,300

Contributions Indirectes, Poudres à Feu et Tabacs. (Service Administratif, de Perception et d'Exploitation dans les Départements.)

Contributions Indirectes.

				Francs.	
Personnel	..	..	..	17,129,700	
Matériel	..	..	..	449,300	
Dépenses Diverses	..	..	..	2,960,300	
Avances Recouvrables	..	..	..	950,000	
				<hr/>	21,481,300

Poudres à Feu.

Personnel	..	..	..	31,000	
Matériel et Dépenses Diverses	..	..	..	3,297,259	
				<hr/>	3,328,259

Tabacs.

Personnel	..	..	..	902,300	
Matériel	..	..	..	6,437,000	
Achats et Transports de Tabacs	..	..	..	26,000,000	
Dépenses Diverses	..	..	..	230,000	
				<hr/>	33,569,300
					<hr/> 58,886,859

Postes. (Service Administratif, de Perception et d'Exploitation dans les Départements.)

Administration et Perception.

Personnel	..	..	..	12,975,850	
Matériel	..	..	..	1,116,420	
Dépenses Diverses	..	..	..	2,035,300	
				<hr/>	16,127,570

Transports des Dépêches.

Personnel	..	..	..	1,088,319	
Matériel	..	..	..	7,363,698	
Dépenses Diverses	..	..	..	6,371,674	
				<hr/>	14,823,691
					<hr/> 30,951,261

TOTAL de la IVe Partie *Francs* 149,082,100

Ve Partie.—Remboursements et Restitutions, Non-Valeurs, Primes et Escomptes.

Restitutions et Non-Valeurs :

Contributions Directes :

Restitutions de Fonds Communaux 47,361,680

MINISTERES ET SERVICES.	MONTANT DES CREDITS ACCORDES.		
	<i>Francs.</i>	<i>Francs.</i>	<i>Francs.</i>
Non-Valeurs et Réimpositions ..	5,259,000		
Restitutions pour Propriétés démo- lies après la Confection des Rôles	135,000		
	<hr/>	52,955,680	
Taxes perçues en vertu de Rôles.—Dégrèvements et Non-valeurs		62,000	
		<hr/>	52,817,680
Remboursements sur Produits Indirects et Divers ..			2,316,000
Répartitions des Produits de Plombage, d'Estampillage, &c., en matière de Douanes			1,250,000
Répartitions de Produits d'Amendes, Saisies et Confiscations, attri- bués à divers			4,362,000
Primes à l'Exportation de Marchandises ..			17,200,000
Escomptes sur Divers Droits ..			1,666,000
		<hr/>	
TOTAL de la Ve Partie		<i>Francs</i>	79,611,680

RECAPITULATION GENERALE DES DEPENSES.

Service Ordinaire :			
Dette Publique			391,154,760
Dotations			8,992,620
Services Généraux des Ministères :			
Justice		26,571,345	
Affaires Etrangères		7,076,219	
Instruction Publique {	Instruction Publique	21,682,481	
	Cultes	40,784,722	
Intérieur		126,543,850	
Agriculture et Commerce		17,457,286	
Travaux Publics		63,926,245	
Guerre		303,814,628	
Marine		102,494,413	
Finances		28,050,160	
		<hr/>	
			738,401,349
Frais de Régie, de Perception et d'Exploitation des Impôts et Revenus Publics			149,082,100
Remboursements et Restitutions, Non-Valeurs, Primes et Escomptes			79,611,680
		<hr/>	
TOTAL GENERAL des Dépenses Ordinaires de l'Exer- cice 1851		<i>Francs</i>	1,367,242,509
Travaux Extraordinaires :			
Ministère des Travaux Publics			59,476,538
Ministère de la Guerre			3,710,000
Ministère de la Marine			3,955,000
Service des Cultes			250,000
		<hr/>	
TOTAL GENERAL des Travaux Extraordinaires de l'Exer- cice 1851		<i>Francs</i>	67,391,538

(Etat B.)—TABLEAU des Recettes et des Dépenses des Services spéciaux portés pour Ordre au Budget de l'Exercice 1851.

RECETTES.				MONTANT DES RECETTES PREVUES.
MINISTÈRE DE LA JUSTICE.				
<i>Légion d'Honneur.</i>				<i>Francs.</i>
Revenus propres de l'Ordre..	..	..	..	6,957,898
Pensions et Frais de Trousseaux versés par les Parents des Elèves de la Maison de Saint-Denis	..	..	..	55,000
TOTAL				Francs 7,012,898

<i>Imprimerie Nationale.</i>				
Produits des Impressions Diverses	..	..	..	3,308,000

MINISTÈRE DES AFFAIRES ÉTRANGÈRES.

<i>Chancelleries Consulaires.</i>				
Produits d'Actes de Chancellerie et Bénéfice sur le change	..	..	..	350,000
Prélèvement à effectuer sur le Fonds Commun des Chancelleries Consulaires, au profit de celles dont les Dépenses excéderont les Recettes (Article V de l'Ordonnance du 23 Août, 1833)	..	..	..	50,000
TOTAL				Francs 400,000

MINISTÈRE DE LA MARINE ET DES COLONIES.

<i>Caisse des Invalides de la Marine.</i>				
Retenues sur les Traitements et Accessoires du Personnel des divers Corps de la Marine et des Colonies	..	..	..	2,000,000
Retenues exercées sur la solde des Officiers Militaires et Civils et Agents de tous grades en congé	..	..	..	110,000
Retenues sur les Salaires au Commerce	..	..	..	850,000
Décomptes des Déserteurs	..	..	..	20,000
Dépôts provenant de Solde, parts de Prises, &c.	..	..	..	360,000
Dépôts provenant de Naufrages	..	..	..	70,000
Droits sur les Prises	..	..	..	80,000
Dividende des Actions de la Banque de France	..	..	..	110,000
Rentes 5 pour cent (Immobilisées)	..	..	..	4,844,239
Plus-value des Feuilles de Rôles d'Equipages des Navires du Commerce	..	..	..	35,000
Recettes Diverses	..	..	..	576,761
TOTAL				Francs 9,056,000

MINISTÈRE DES FINANCES.

Service de la Fabrication des Monnaies et Médailles.

<i>Monnaies.</i>				
Retenues, pour Frais de Fabrication, sur les matières apportées aux Changes des Monnaies.	..	..	..	619,394
Tolérances en faible sur le titre et le poids des Monnaies Fabriquées	..	..	..	50,000
Droits d'Essai sur les Lingots présentés en vérifica- tion par le Commerce	..	..	..	100
				669,494

RECETTES. <i>Médailles.</i>	MONTANT DES RECETTES PREVUES.	
	<i>Francs.</i>	<i>Francs.</i>
Produit de la vente des Médailles fabriquées depuis l'Ordonnance du 24 Mars, 1832	580,000	
Droit de 10 pour cent prélevé sur le prix de la Fabrication des Médailles de Sainteté, Boutons, &c...	1,000	
		581,000
TOTAL	<i>Francs</i>	1,250,494

DEPENSES. MINISTÈRE DE LA JUSTICE. <i>Légion d'Honneur.</i>	MONTANT DES CREDITS ACCORDES.	
Grande Chancellerie (Personnel)		126,400
Grande Chancellerie (Matériel)		36,000
Traitements des Membres de l'Ordre		4,708,000
Supplément de Traitement de 100 Francs aux Membres de l'Ordre, conformément à la Loi du 21 Juin, 1845 ..		668,500
Gratifications aux Membres de l'Ordre		76,074
Maison de Saint-Denis (Personnel)		110,610
Maison de Saint-Denis (Matériel)		389,000
Maison de Saint-Denis (Travaux neufs)		10,000
Succursales de la Légion d'Honneur (Personnel)		20,500
Succursales de la Légion d'Honneur (Matériel)		273,000
Succursales de la Légion d'Honneur (Travaux neufs)		8,000
Pensions Diverses		74,400
Commissions aux Receveurs-Généraux chargés des Paiements dans les Départements		25,800
Décorations pour les Membres de l'Ordre		40,000
Fonds de Secours aux Elèves, à leur sortie des Maisons d'Education		2,000
Dépenses Diverses et Imprévues		18,888
Frais relatifs au Domaine d'Ecouen		12,500
Dépenses des Exercices Clos		Mémoire.
Remboursement à la Caisse des Dépôts et Consignations à compte sur les Avances qu'elle a faite à la Légion d'Honneur, conformément à la Loi du 21 Juin, 1845		413,226
TOTAL	<i>Francs</i>	7,012,898

Imprimerie Nationale.

Dépenses fixes d'Administration et d'Exploitation :		
Personnel		159,700
Traitement de Réforme du Conservateur du Matériel		1,750
Matériel		82,373
Constructions Nouvelles ou Travaux Neufs		6,328
Dépenses d'Exploitation non susceptibles d'une Evaluation fixe		2,863,700
Augmentation et Renouvellement du Matériel		32,870
Dépenses des Exercices Clos		Mémoire.
Application à faire, aux produits divers du Budget, de l'excédant présumé des Recettes		161,279
TOTAL	<i>Francs</i>	3,308,000

DEPENSES.

MONTANT DES
CREDITS ACCORDES.

MINISTERE DES AFFAIRES ETRANGERES.

Chancelleries Consulaires.

Frais de Chancellerie, Honoraires des Chanceliers et Pertes sur le Change	326,000
Versements à effectuer au Trésor, à Titre de Fonds Commun des Chancelleries Consulaires, savoir :	
Portion à employer pour les Chancelleries dont les Recettes seront inférieures aux Dépenses ..	50,000
Excédant disponible à porter en recette au Budget de l'Etat	24,000
	<hr/>
	74,000
	<hr/>
TOTAL	Francs 400,000
	<hr/>

MINISTERE DE LA MARINE ET DES COLONIES.

Caisse des Invalides de la Marine.

Francs.

Pensions dites Demi-Soldes	2,260,000
Pensions pour Ancienneté et pour Blessures, et Pensions de Veuves	6,040,000
Fonds Annuel de Secours et Subside à l'Hospice des Orphelines de Rochefort	206,000
Frais d'Administration et de Trésorerie	330,000
Remboursements sur les Anciens Dépôts provenant de Solde, de parts de Prises, &c.	130,000
Remboursements sur les Anciens Dépôts provenant de Naufrages	40,000
Dépenses Diverses	50,000
	<hr/>
TOTAL	Francs 9,056,000
	<hr/>

MINISTERE DES FINANCES.

*Service de la Fabrication des Monnaies et Médailles.**Monnaies.*

Frais de Fabrication alloués aux Directeurs des Monnaies	619,394
Tolérances en fort sur le titre et le Poids des Monnaies Fabriquées.	50,000
	<hr/>
	669,394

Médailles.

Frais de Fabrication, y compris la valeur des Matières	531,000
	<hr/>
	1,200,394
Application à faire aux produits divers du Budget, de l'excédant des Recettes présumées :	
Sur les Monnaies	100
Sur les Médailles	50,000
	<hr/>
	50,100
	<hr/>

TOTAL Francs 1,250,494

RECAPITULATION GENERALE.

	RECETTES.	DEPENSES.
Ministère de la Justice :	<i>Francs.</i>	<i>Francs.</i>
Légion d'Honneur	7,012,898	7,012,898
Imprimerie Nationale	3,308,000	3,308,000
Ministère des Affaires Etrangères :		
Chancelleries Consulaires	400,000	400,000
Ministère de la Marine :		
Caisse des Invalides	9,056,000	9,056,000
Ministère des Finances :		
Service de la Fabrication des Monnaies et Médailles	1,250,494	1,250,494
TOTAL <i>Francs</i>	21,027,392	21,027,392

(Etat C.)—TABLEAU du Service Départemental pour l'Exercice 1851. (Exécution de la Loi du 10 Mai, 1838.)

RECAPITULATION.

	RESSOURCES.	DEPENSES.
Ministère de l'Intérieur	98,753,330	98,753,330
Ministère de l'Instruction Publique	4,986,000	4,986,000
Ministère des Finances.. .. .	300,000	300,000
TOTAL <i>Francs</i>	104,039,330	104,039,330

(Etat D.)—TABLEAU du Service Colonial, pour l'Exercice, 1851.

TOTAL DES RECETTES.

17,902,600

TOTAL DES DEPENSES.

17,902,600

LOI de France, portant fixation du Budget des Recettes de l'Exercice 1851.—Paris, le 7 Août, 1850.

Paris, le 7 Août, 1850.

L'ASSEMBLEE NATIONALE a adopté la loi dont la teneur suit :

TITRE I.—*Impôts autorisés pour l'Exercice 1851.*

SECTION I.

ART. I. Les 17 centimes additionnels généraux, sans affectation spéciale, afférents à la contribution foncière, sont supprimés à partir de l'année 1851.

Les contributions foncière, personnelle et mobilière, des portes et fenêtres et des patentes, seront perçues, pour 1851, en principal et centimes additionnels, conformément à l'état A annexé à la présente loi et aux dispositions des lois existantes.

Le maximum des centimes facultatifs pour des dépenses d'utilité départementale que les Conseils Généraux des Départements sont

autorisés à imposer par l'Article XXXIII de la Loi du 17 Août, 1833, est élevé à $7\frac{6}{10}$ centimes.

Ces impositions pourront être élevées, dans le Département de la Corse, jusqu'à $14\frac{6}{10}$ centimes.

Le contingent de chaque département dans les contributions foncière, personnelle et mobilière, et des portes et fenêtres, est fixé, en principal, aux sommes portées dans l'état B annexé à la présente loi.

II. Aussitôt après la promulgation de la présente loi, le Gouvernement prendra les mesures nécessaires pour qu'il soit procédé, dans un bref délai, à une évaluation nouvelle des revenus territoriaux.

III. Lorsqu'en exécution du paragraphe 4 de l'Article XXXIX de la Loi du 18 Juillet, 1837, il y aura lieu, par le Gouvernement, d'imposer d'office, sur les communes, des centimes additionnels pour le paiement des dépenses obligatoires, le nombre de ces centimes ne pourra excéder le maximum de 10, à moins qu'il ne s'agisse de l'acquit de dettes résultant de condamnations judiciaires; auquel cas il pourra être élevé jusqu'à 20.

IV. En cas d'insuffisance des revenus ordinaires pour l'établissement des écoles primaires communales, élémentaires ou supérieures, les Conseils Municipaux et les Conseils Généraux des départements sont autorisés à voter, pour 1851, à titre d'imposition spéciale destinée à l'instruction primaire, des centimes additionnels au principal des 4 contributions directes. Toutefois, il ne pourra être voté, à ce titre, plus de 3 centimes par les Conseils Municipaux, et plus de 2 centimes par les Conseils Généraux.

V. En cas d'insuffisance des centimes facultatifs ordinaires pour concourir, par des subventions, aux dépenses des chemins vicinaux de grande communication, et, dans des cas extraordinaires, aux dépenses des autres chemins vicinaux, les conseils généraux sont autorisés à voter, pour 1851, à titre d'imposition spéciale, 5 centimes additionnels aux 4 contributions directes.

VI. Continuera d'être faite, pour 1851, au profit de l'Etat, des départements, des communes, des établissements publics et des communautés d'habitants dûment autorisés, la perception, conformément aux lois existantes, des divers droits, produits et revenus énoncés au Tableau C annexé à la présente loi.

SECTION II.

VII. Dans toute commune cadastrée depuis 30 ans au moins, il pourra être procédé à la révision et au renouvellement du cadastre sur la demande du Conseil Municipal de la commune, et sur l'avis conforme du Conseil Général du département, à la charge par la commune de pourvoir aux frais des nouvelles opérations.

Toutefois, dans toute commune dont les évaluations cadastrales ont été revisées avec des fonds départementaux, les opérations

pourront être régularisées par un arrêté ministériel sur la demande des Conseils Généraux.

Les opérations commencées dans une commune pourront également être terminées aux frais des départements.

VIII. Les Conseils Généraux des départements, dans leur prochaine session, seront appelés par le Ministre des Finances à émettre leur avis sur la meilleure solution à donner à la disposition prescrite par l'Article II de la Loi du 4 Août, 1849.

IX. A partir du 1er Janvier, 1851, les actes ou écrits tarifés au droit d'un pour cent par l'Article LXIX, paragraphe 3, No. 3, de la Loi du 22 Frimaire an VII, ne seront sujets qu'au droit de $\frac{1}{2}$ pour cent.

Le droit des actes ou écrits portant libération de sommes et valeurs mobilières, désignés au No. 11 du paragraphe 2, de l'Article LXIX, de la Loi du 22 Frimaire, an VII, est réduit à 25 centimes pour cent francs.

X. A partir du 1er Janvier, 1851, les prix de la poudre de chasse fine, superfine et extra-fine, fixés par la Loi du 24 Mai, 1834, et par l'Ordonnance du 26 Décembre, 1834, seront modifiés ainsi qu'il suit :

Poudre de chasse fine, le kilogramme, 9 francs 50 centimes ;

Poudre de chasse superfine, le kilogramme, 12 francs ;

Poudre de chasse extra-fine, le kilogramme, 15 francs 50 centimes.

XI. A partir du 1er Janvier, 1851, le droit de 15 centimes actuellement perçu par chaque jeu de cartes sera élevé à 25 centimes par jeu, de quelque nombre de cartes qu'il soit composé.

Les fabricants de cartes continueront à n'obtenir aucune déduction sur le montant du droit, ni sur le papier qui leur sera livré par la régie, sous prétexte d'avarie, de déchet, ou pour quelque autre motif que ce soit.

XII. Le Ministre des Finances est autorisé à aliéner, à partir du 1er Janvier, 1851, et dans le délai de 3 années, des bois de l'Etat jusqu'à concurrence de 50,000,000. Ces bois ne pourront être pris que parmi ceux portés sur le Tableau F annexé à la présente loi.

Les Conseils Généraux des départements où les bois sont situés devront, avant l'aliénation, constater par une délibération leur adhésion à la vente et à la faculté de défricher.

Le défrichement, s'il est accordé par le procès-verbal de vente, et l'exploitation, ne s'effectueront qu'en 5 années au moins, à raison d'un cinquième de la contenance par année et après paiement du prix de vente dans les proportions déterminées au cahier des charges.

Pourront être aliénées, dans les délais et sous les conditions indiquées par les paragraphes précédents, et avec faculté de défrichement, des parcelles de bois taillis domaniaux situés près des

communes rurales dont le territoire propre à la culture n'est pas en rapport avec leur population.

Si lesdits bois ne sont pas compris dans le tableau prescrit par le présent Article, il sera dressé un tableau additionnel et spécial sur la demande ou sur l'avis des Conseils Municipaux des communes voisines desdites parcelles.

L'état, par chaque département, des bois vendus ou qui resteraient à vendre, sera chaque année distribué à l'Assemblée. Cet état fera connaître les prix d'estimation et de vente des bois aliénés.

XIII. Le produit des ventes de bois sera versé au Trésor, en atténuation de ses avances pour le compte de la dette flottante.

XIV. Les Articles CXXXI et CXXXVII du décret du 17 Mars, 1808, sont et demeurent abrogés..

Les propriétés immobilières et revenus fonciers qui appartenaient à l'Université feront retour au domaine de l'Etat.

La rente 5 pour cent de 523,433 francs, inscrite au nom de l'Université, est annulée et sera rayée du grand-livre de la dette publique.

XV. Ne sont point comprises dans les prescriptions de l'Article précédent les propriétés immobilières ou les rentes affectées à des établissements d'instruction publique.

Ces établissements continueront de pouvoir acquérir et posséder sous les conditions déterminées par les lois.

XVI. Seront taxées à 20 centimes, pour tout droit fixe, lorsqu'elles seront affranchies et lorsqu'elles ne dépasseront pas le poids de 7½ grammes, les lettres adressées aux sous-officiers, soldats ou marins présents sous les drapeaux ou pavillons.

Le 2ème paragraphe de l'Article XIII de la Loi du 15 Mai, 1830, est abrogé.

XVII. L'autorisation d'établir son domicile en France, accordée conformément à l'Article XIII du Code Civil, donnera lieu à la perception, au profit de l'Etat, des mêmes droits qui sont fixés pour la naturalisation. Le Gouvernement pourra faire remise totale ou partielle de ces droits.

TITRE II.—*Récapitulation des Recettes et des Dépenses de l'Exercice 1851.*

XVIII. Les voies et moyens de l'exercice 1851 demeurent évalués à la somme de 1,371,379,758 francs, conformément à l'état D annexé à la présente loi.

XI. Les dépenses, d'après la loi de finances de l'exercice 1851, s'élevant à	..	..	.. 1,367,242,509
Et les voies et moyens à	..	..	.. 1,371,379,758

Le budget de l'exercice 1851 présente un excédant de recette qui est arrêté provisoirement, selon l'état

E annexé à la présente loi, à la somme de 4,137,249

En ce non compris les travaux extraordinaires

s'élevant à la somme de 67,391,538

TITRE III.—*Moyens de Service.*

XX. Le Ministre des Finances est autorisé à créer pour le service de la Trésorerie et les négociations avec la Banque de France des bons du Trésor portant intérêt, et payables à échéance fixe.

Les bons du Trésor en circulation ne pourront excéder 150,000,000 de francs. Ne sont pas compris dans cette limite les bons déposés en garantie à la Banque de France et aux comptoirs d'escompte.

TITRE IV.—*Dispositions Générales.*

XXI. Toutes contributions directes ou indirectes autres que celles autorisées par la présente loi, à quelque titre et sous quelque dénomination qu'elles se perçoivent, sont formellement interdites, à peine, contre les autorités qui les ordonneraient, contre les employés qui confectionneraient les rôles et tarifs, et ceux qui en feraient le recouvrement, d'être poursuivis comme concussionnaires, sans préjudice de l'action en répétition, pendant 3 années, contre tous receveurs, percepteurs ou individus qui auraient fait la perception et sans que, pour exercer cette action devant les tribunaux, il soit besoin d'une autorisation préalable. Il n'est pas néanmoins dérogé à l'exécution de l'Article IV de la loi du 2 Août, 1829, relatif aux centimes que les Conseils Généraux sont autorisés à voter pour les opérations cadastrales, non plus qu'aux dispositions des Lois du 10 Mai, 1838, sur les attributions départementales, du 18 Juillet, 1837, sur l'administration communale, du 21 Mai, 1836, sur les chemins vicinaux, et du 28 Juin, 1833, sur l'instruction primaire.

Délibéré en séance publique, à Paris, le 7 Août, 1850.

Le Président et les Secrétaires,

DUPIN, *Président.*

PEUPIN.

ARNAUD (de l'Ariège).

CHAPOT.

LACAZE.

BERARD.

La présente loi sera promulguée et scellée du sceau de l'Etat.

Le Président de la République,

LOUIS-NAPOLÉON BONAPARTE.

Le Ministre de l'Intérieur, chargé de l'intérim du

Ministre de la Justice, J. BAROCHÉ.

(Etat A.)—TABLEAU des Contributions Directes à imposer en Principal et en Centimes Additionnels pour l'Exercice 1851.

NATURE ET OBJET DES IMPOSITIONS.	CONTRIBUTIONS.						TOTALX.		OBSERVATIONS.	
	Foncière.		Personnelle et Mobilière.		Portes et Fenêtres.		Patentes.			Par nature de Contributions.
	Centimes additionnels.	Francs.	Centimes additionnels.	Francs.	Centimes additionnels.	Francs.	Centimes additionnels.	Francs.		
Fonds pour dépenses générales.	...	106,174,000	...	35,328,000	...	25,265,000	...	252,783,000	(a) Le principal de la Contribution des Patentes est évalué à 34,500,000	
	...	136,000	...	72,000	...	185,000	...	333,000	Mais il en est déduit 8 centimes, dont le produit est attribué aux communes, par l'Article 32 de la Loi du 25	
	17	6,018,000	15 ⁸ / ₁₀	4,013,200	0 ⁵ / ₁₀	12,367,400	Avril, 1844, ci ... 2,784,000	
	...	10 ¹ / ₁₀	16,671,200	10 ⁴ / ₁₀	3,681,000	...	...	20,352,800	Reste pour la portion du principal de la contribution des patentes, qui est appliquée aux dépenses générales du Budget, ci ... 32,010,000
Fonds pour dépenses départementales.	7	11,221,000	7	2,478,000	...	...	...	13,699,000	(b) Voir la note (a) ci-dessus.
	...	12,192,740	...	2,638,790	...	...	...	14,886,530	(c) Sur les 5 centimes im-
	...	12,777,000	...	2,808,000	...	1,941,000	...	20,250,000	posés pour taxe de premier avertissement, 3 centimes, sur 16,004,000 avertissements pour rôles confectionnés aux frais de l'état, rentrent dans les fonds pour dépenses générales du budget. Le produit de ces 3 centimes est de ... 480,132	
	...	7,700,000	...	1,625,000	...	1,100,000	...	12,085,000	3 centimes, sur 345,600 avertissements pour rôles spéciaux d'impositions extraordinaires établis aux frais des départements et des communes, servant à couvrir les frais d'impressions et de confection desdits avertissements. Le produit de ces 3 centimes est de ... 10,362	
Centimes votés par les Conseils généraux.	...	2,871,000	...	567,000	...	425,000	...	4,431,000	2 centimes, sur la totalité des avertissements (16,350,000), sont attribués aux percepteurs pour la distribution desdits avertissements ... 327,000	
	...	300,000	...	...	...	...	...	390,000	Total ... 817,500

(Etat B.)—*Fixation du Contingent de Chaque Département, en Principal, dans les Contributions Foncière, Personnelle et Mobilière, et des Portes et Fenêtres.*

[Suit Etat de Chaque Département pour 1851.]

(Etat C.)—*TABLEAU des Droits, Produits et Revenus, dont la perception est autorisée pour 1851, conformément aux Lois existantes.*

§ 1.—*Perception au Profit de l'Etat.*

Droits d'enregistrement, de timbre, de taxe sur les biens de mainmorte, de greffe, d'hypothèques, de passe-port et de permis de chasse, produit du visa des passe-ports et de la légalisation des actes au Ministère des Affaires Etrangères et droits de sceau à percevoir pour le compte du trésor dans lesquels continueront d'être compris les droits pour dispenses d'alliances, en conformité des Lois des 17 Août, 1828, 29 Janvier, 1831, et 20 Février, 1849 ;

20ème à payer sur le produit des bois des communes et établissements publics, vendus ou délivrés en nature, pour indemniser l'Etat des frais d'administration de ces bois (Article V de la Loi des Recettes de 1842, du 25 Juin, 1841, et Article VI de la Loi des Recettes de 1846, du 19 Juillet, 1845) ;

Droits de douanes, y compris celui sur les sels ;

Contributions indirectes, y compris les droits de garantie, la retenue sur le prix des livraisons de tabacs autorisée par l'Article XXXVIII de la Loi du 24 Décembre, 1814, les frais de casernement déterminés par la Loi du 15 Mai, 1818, et le prix des poudres, tel qu'il est fixé par les Lois des 16 Mars, 1819, et 24 Mai, 1834 ;

Taxe des lettres et droit sur les sommes versées aux caisses des Agents des Postes ;

Rétributions imposées par l'Arrêté du Gouvernement du 20 Prairial an XI (9 Juin, 1803) et par les Décrets du 4ème jour complémentaire an XII (21 Septembre, 1804) et du 17 Février, 1809, sur les élèves des facultés et sur les candidats qui se présentent pour y obtenir des grades ;

Rétributions imposées par la Loi du 21 Germinal an XI (11 Avril, 1803), l'Arrêté du Gouvernement du 25 Thermidor suivant (13 Août de la même année) et l'Ordonnance Royale du 27 Septembre, 1840, aux élèves des Ecoles de Pharmacie et aux Herboristes régus par ces écoles ;

Produits des monnaies et médailles ;

Redevances sur les mines ;

Redevances pour permissions d'usines et de prises d'eau temporaires, toujours révocables sans indemnité, sur les canaux et rivières navigables ;

Droits de vérification des poids et mesures, conformément à l'Ordonnance Royale du 17 Avril, 1839 ;

Taxes des brevets d'invention ;

Droits de chancellerie et de consulat perçus en vertu des tarifs existants ;

Décime pour franc sur les droits qui n'en sont point affranchis, y compris les amendes et condamnations pécuniaires, et sur les droits de greffe perçus, en vertu de l'Ordonnance du 18 Janvier, 1826, par le Secrétaire Général du Conseil d'Etat ;

Rétributions imposées, pour frais de surveillance, sur les compagnies et agences de la nature des tontines, dont l'établissement aura été autorisé par Ordonnances rendues dans la forme des règlements d'administration publique (avis du Conseil d'Etat, approuvé par l'Empereur, le 1er Avril, 1809, et Loi des Recettes de 1843) ;

Droits sanitaires conformément au tarif annexé à la Loi des Recettes de 1844, en date du 24 Juillet, 1843.

§ 2.—*Perceptions au Profit des Départements, des Communes, des Etablissements Publics, et des Communautés d'Habitants dûment autorisées.*

Taxes imposées, avec l'autorisation du Gouvernement, pour la surveillance, la conservation et la réparation des digues et autres ouvrages d'art intéressant les communautés de propriétaires ou d'habitants ; taxes pour les travaux de dessèchement autorisés par la Loi du 16 Septembre, 1807, et taxes d'affouages, là où il est d'usage et utile d'en établir ;

Droits de péage qui seraient établis, conformément à la Loi du 14 Floréal an X (4 Mai, 1802), pour concourir à la construction ou à la réparation des ponts, écluses ou ouvrages d'art à la charge de l'Etat, des départements ou des communes, et pour corrections de rampes sur les routes nationales, et départementales ;

Taxes imposées, avec l'autorisation du Gouvernement, pour subvenir aux dépenses intéressant les communautés de marchands de bois ;

Droits d'examen et de réception imposés, par l'Arrêté du Gouvernement du 20 Prairial an XI (9 Juin, 1803), sur les candidats qui se présentent devant les jurys médicaux pour obtenir le diplôme d'officier de santé ou de pharmacien ;

Droits établis pour frais de visite chez les pharmaciens, droguistes, et épiciers ;

Rétributions imposées en vertu des Arrêts du Gouvernement du 3 Floréal an VIII (23 Avril, 1800), et du 6 Nivôse an XI (27 Décembre, 1802), sur les établissements d'eaux minérales naturelles, pour le traitement des médecins chargés par le Gouvernement de l'inspection de ces établissements ;

Contributions imposées par le Gouvernement sur les bains, fabriques et dépôts d'eaux minérales, pour subvenir aux traitements des médecins inspecteurs desdits établissements (Article XXX de la Loi des Recettes de 1842, du 25 Juin, 1841, et Lois de Finances antérieures) ;

Rétributions pour frais de visite des aliénés placés volontairement dans les établissements privés (Articles IX de la Loi du 30 Juin, 1838, et XXIX de la Loi du 25 Juin, 1841) ;

Droits d'octroi, droits de pesage, mesurage et jaugeage ;

Droits de voirie dont les tarifs ont été approuvés par le Gouvernement, sur la demande et au profit des communes (Loi du 18 Juillet, 1837) ;

10ème des billets d'entrée dans les spectacles et les concerts quotidiens ;

Quart de la recette brute dans les lieux de réunion ou de fête où l'on est admis en payant ;

Contributions spéciales destinées à subvenir aux dépenses des Bourses et Chambres de Commerce, et revenus spéciaux accordés auxdits établissements ;

Droits de places perçus dans les halles, foires, marchés, abattoirs, d'après les tarifs dûment autorisés (Loi du 18 Juillet, 1837) ;

Droits de stationnement et de location sur la voie publique, sur les ports et rivières et autres lieux publics (Loi du 18 Juillet, 1837) ;

Taxes et frais de pavage des rues, dans les villes où l'usage met ces frais à la charge des propriétaires riverains (dispositions combinées de la Loi du 11 Frimaire an VII (1er Décembre, 1798), et du Décret de Principe du 25 Mars, 1807, et Article XXVIII de la Loi des Recettes de 1842, du 25 Juin, 1841) ;

Taxes d'établissement de trottoirs dans les rues et places dont les plans d'alignement ont été arrêtés conformément aux dispositions de la Loi du 7 Juin, 1845 ;

Prix de la vente exclusive, au profit de la caisse de la marine, des feuilles de rôle d'équipages des bâtiments de commerce, d'après le Tarif du 8 Messidor an XI (27 Juin, 1803) ;

Frais de travaux intéressant la salubrité publique (Loi du 16 Septembre, 1807) ;

Droits d'inhumation et de concession de terrains dans les cimetières (Décrets Organiques du 23 Prairial an XII (12 Juin, 1804), et du 18 Août, 1811.

§ 3.—*Perception des Recettes des Colonies régies par la Loi du 25 Juin, 1841.*

Recettes de toute nature dans les colonies de la Martinique, de la Guadeloupe, de la Guyane Française et de l'Île de la Réunion, conformément aux Lois et Ordonnances actuellement en vigueur.

(Etat D.)—*BUDGET GENERAL des Voies et Moyens de l'Exercice 1851.*

DESIGNATION DES PRODUITS.		MONTANT DES RECETTES PREVUES POUR LE BUDGET DE 1851.		
		Francs.	Francs.	Francs.
Contributions Directes :				
Foncière .. .. .	.. .. .	.. .. .	259,996,850	
Personnelle et Mobilière .. .. .	.. .. .	.. .. .	62,330,860	
Des Portes et Fenêtres .. .. .	.. .. .	.. .. .	36,626,740	
Des Patentes .. .. .	.. .. .	.. .. .	47,141,160	
Taxe de Premier Avertissement .. .. .	.. .. .	.. .. .	817,500	
			<hr/>	406,913,110
Enregistrement, Timbre et Domaines :				
Droits d'Enregistrement, de Greffe, d'Hypothèques et Perceptions				
Diverses	190,848,000			
Droit de Timbre	33,775,000			
			<hr/>	224,603,000
Revenus et Prix de Vente des Do- maines	3,658,700			
Prix de Vente d'Objets Mobiliers et Immobiliers provenant des Mi- nistères	3,355,488			
Produits d'Etablissements Spéciaux régis ou affermés par l'Etat	1,580,266			
			<hr/>	8,594,454
				233,197,454
Produits des Forêts et de la Pêche :				
Produits des Coupes de Bois .. .. .	.. .. .	.. .. .	30,146,705	
Produits Divers et Droit de Pêche .. .. .	.. .. .	.. .. .	4,256,000	
Contributions des Communes et Etablissements Publics pour frais de régie de leurs Bois .. .. .	.. .. .	.. .. .	1,485,900	
			<hr/>	5,888,605
Douanes et Sels :				
Droits de Douanes à l'Importation :				
Marchandises Diverses	82,331,000			
Sucres Coloniaux	27,291,000			
Sucres Etrangers	12,000,000			
	<hr/>	39,291,000		
Droits de Douanes à l'Exportation	2,442,000			
Droits de Navigation	2,569,000			
Droits et Produits Divers de Douanes	2,919,000			
	<hr/>			129,552,000
Taxe de Consommation des Sels perçue dans le rayon des Douanes .. .. .	.. .. .	.. .. .	22,875,000	
			<hr/>	152,427,000

DESIGNATION DES PRODUITS.	MONTANT DES RECETTES PREVUES POUR LE BUDGET DE 1851.	
	<i>Francs.</i>	<i>Francs.</i>
Contributions Indirectes :		
Droits sur les Boissons	98,303,000	
Taxe de Consommation des Sels perçue hors du rayon des Douanes	5,222,000	
Droit de Fabrication sur les Sucres Indigènes ..	26,606,000	
Droits Divers et Recettes à différents titres ..	38,796,000	
Produit de la Vente des Tabacs	119,881,000	
Produit de la Vente des Poudres à Feu	5,935,000	
	<hr/>	294,743,000
Produits des Postes :		
Produit de la Taxe des Lettres	36,752,000	
Droit de 2 pour cent sur les Envois d'Argent ..	1,110,000	
Droits de Transport de Marchandises et de Matières d'Or et d'Argent par les Paquet-bots	—	
Produit des Places dans les Malles-Postes	1,228,000	
Produit des Places dans les Paquet-bots. . . .	—	
Droit de Transit des Correspondances Etrangères	809,000	
Recettes Accidentelles	27,000	
	<hr/>	39,926,000
Divers Revenus :		
Taxe annuelle sur les biens de main-morte ..		3,150,000
Produits Universitaires :—Droits Divers		1,788,703
Produits Eventuels affectés au Service Départe- mental		17,480,000
Produits et Revenus de l'Algérie		14,560,000
Produit de la Rente de l'Inde		1,050,000
Recette des Colonies régies par la Loi du 25 Juin, 1841 (Martinique, Guadeloupe, Guyane Fran- çaise et Ile de la Réunion) :		
Recettes affectées au Service Général	1,755,600	
Recettes affectées au Service Local	3,721,700	
	<hr/>	5,477,300
Produits Divers du Budget :		
Bénéfice sur la Fabrication des Monnaies et la Vente des Médailles	50,100	
Redevances et Produits Extraordinaires des Mines	580,000	
Droit de Vérification des Poids et Mesures ..	1,000,000	
Produit de la Taxe des Brevets d'Invention ..	350,000	
Solde non employé du Fonds Commun des Chancel- leries Consulaires	24,000	
Ressources Spéciales pour Dépenses des Ecoles Normales Primaires	500,000	
Produits Eventuels Départementaux attribués à l'Instruction Primaire	5,000	
Pensions et Rétributions des Elèves des Ecoles Militaires	460,700	
Recouvrement de Frais d'Entretien d'Elèves à l'Ecole de Cavalerie de Saumur	37,500	
Pensions des Elèves de l'Ecole Navale de Brest ..	61,600	
Retenue de 2 pour cent sur la solde des Officiers de l'Armée de Terre	937,320	

DESIGNATION DES PRODUITS.	MONTANT DES RECETTES	
	PREVUES POUR	
	LE BUDGET DE 1851.	
	<i>Francs.</i>	
Pensions de Marins admis à l'Hôtel des Invalides de la Guerre	48,000	
Retenue de 2 pour cent sur la solde des Officiers des Sapets-Pompiers de la Ville de Paris ..	1,100	
Portion des dépenses de la Garde Républicaine remboursée à l'Etat par la Ville de Paris ..	1,250,790	
Revenus de divers Etablissements spéciaux (Ecoles Vétérinaires, Ecoles des Arts et Métiers, Ecoles Régionales d'Agriculture, Lazarets et Etablissements Sanitaires)	1,136,675	
Produits provenant des Ministères, et Recettes attribuées au Trésor Public par l'Ordonnance du 31 Mai, 1838, portant Règlement Général sur la comptabilité publique	1,937,314	
Produit de Ventes de Cartes des Dépôts de la Guerre et de la Marine.	47,000	
Valeur, au Prix de Revient, fixé par le Budget, des Poudres livrées par le service des Poudres et Salpêtres :		
Aux Départements de la Guerre, de la Marine et des Finances.	4,333,825	
Ateliers de Condamnés et Pénitenciers Militaires	262,000	
Versements des Compagnies de Chemins de Fer pour Remboursement de Frais divers mis à leur charge	372,860	
Versements des Sociétés et Agences Tontinières pour Remboursement de Frais de Surveillance	20,000	
Versement des Associations Ouvrières pour Remboursement de Frais de Surveillance ..	15,000	
Bénéfices réalisés par la Caisse des Dépôts et Consignations pour l'année 1851	1,700,000	
Recouvrements sur prêts faits en 1830, au Commerce et à l'Industrie	100,000	
Recettes sur Débets non compris dans l'Actif de l'Administration des Finances	80,000	
Dépôts d'Argent dans les Caisses des Agents des Postes, acquis au Trésor pour cause de Déchéance (Loi du 31 Janvier, 1833) ..	14,000	
Versements de Compagnies de Chemins de Fer, en capital et en intérêts, sur prêts à elles faits par le Trésor	1,110,000	
Fonds à verser par des Départements, des Communes et des Particuliers, pour concourir, avec ceux de l'Etat, à l'exécution de Travaux Publics	178,000	
Excédant disponible des Recettes sur les Dépenses du Service de l'Imprimerie Nationale ..	159,279	
Produits divers des Maisons Centrales de Force et de Correction	1,700,000	

DESIGNATIONS DES PRODUITS.	MONTANT DES RECETTES	
	PREVUES POUR	
	LE BUDGET DE 1851.	
	<i>Francs.</i>	<i>Francs.</i>
Prix du Bail du Chemin de Fer de Montpellier à Nîmes	408,000	
Produit des Manufactures Nationales	75,000	
Produits des Chemins de Fer Exploités par l'Etat	12,000,000	
Remboursement des Associations Ouvrières (Décret du 5 Juillet, 1848).. .. .	77,000	
Recettes de différentes origines	409,256	
Revenus et Locations des Châteaux Nationaux ..	250,000	
		31,691,319
Versements pour Vacances d'Emplois		Mémoire.
Remboursement à faire par la Compagnie du Chemin du Fer du Nord (Obligations échéant en 1851)		4,000,000
Remboursements à faire par la Compagnie d'Avignon à Marseille.		1,000,000
Versement de la Caisse d'Amortissement ..		75,660,150
<i>Evaluation des Nouveaux Impôts ou des Accroissements d'Impôts Proposés.</i>		
Lois Spéciales et Loi du Budget de 1850 :		
Accroissement de l'Impôt des Patentes ..	1,000,000	
Nouveaux Droits d'Enregistrement :		
Première Loi	6,000,000	
Deuxième Loi	21,000,000	
		27,000,000
Droits Additionnels sur le Timbre	12,000,000	
Accroissement sur la Taxe des Lettres ..	8,000,000	
		48,000,000
Loi du Budget de 1851 :		
Timbre des Journaux	3,000,000	
Cartes à jouer	459,276	
Poudres à Feu	967,841	
		4,427,117
TOTAL GENERAL des Voies et Moyens de l'Exercice 1851. <i>Francs.</i>		
		1,371,379,758

(Etat E.)—Résultat Général du Budget de 1851.

Dépenses	1,367,242,509
Recettes	1,371,379,758
EXCEDANT des Recette	4,137,249

(Etat F.)—Etats détaillés des portions de Bois Taillis, simple ou sous futaie, susceptibles d'être aliénés, conformément à l'Article XII de la Loi du Budget des Recettes de 1851.

[Suit Etats détaillés des portions de Bois Taillis, &c.]

LOI de la Belgique, qui fixe le Budget des Dotations pour l'Exercice 1851.—Laeken, le 22 Avril, 1850.

LEOPOLD, Roi des Belges, à tous présents et à venir, Salut.

Les Chambres ont adopté et nous sanctionnons ce qui suit :

ARTICLE UNIQUE. Le Budget des Dotations est fixé, pour l'exercice 1851, à la somme de 3,404,922 francs, conformément au tableau ci-annexé.

TABLEAU du Budget des Dotations pour l'Exercice 1851.

CHAP. I.—Liste civile fixée en vertu de l'Art. LXXVII de la Constitution, par la Loi du 28 Février, 1832	Francs.	Francs.	Francs.
.. .. .	2,751,322	—	2,751,322
CHAP. II.—Sénat	30,000	10,000	40,000
CHAP. III.—Chambre des Représentants	461,000	3,500	464,000
CHAP. IV.— <i>Cour des Comptes.</i>			
Traitement des Membres de la Cour	50,000		
Traitement du Personnel des Bureaux	81,000		
Matériel et Dépenses Diverses ..	16,900		
Premier Terme des Pensions à accorder éventuellement ..	1,200		
	—	—	149,100
TOTAL du Budget des Dotations ..		Francs	3,404,922

Promulguons la présente loi, ordonnons qu'elle soit revêtue du sceau de l'Etat et publiée par la voie du "Moniteur."

Donné à Laeken, le 22 Avril, 1850.

Par le Roi :

LEOPOLD.

Le Ministre des Finances, FRERE-ORBAN.

LOI de la Belgique, qui fixe le Budget du Ministère des Finances pour l'Exercice 1851.—Laeken, le 4 Juin, 1850.

LEOPOLD, Roi des Belges, à tous présents et à venir, Salut.

Les Chambres ont adopté, et nous sanctionnons ce qui suit :

ARTICLE UNIQUE. Le Budget du Ministère des Finances est fixé, pour l'Exercice 1851, à la somme de 10,806,830 francs, conformément au tableau ci-annexé.

TABLEAU du Budget Général du Ministère des Finances, pour l'Exercice 1851.

CHAP. I.—*Administration Centrale.*

	<i>Francs.</i>	<i>Francs.</i>	<i>Francs.</i>
Traitement du Ministre	21,000		
Traitement des Fonctionnaires Employés et Gens de Service 468,050			
Travail Extraordinaire 4,000			
	<hr/>		
	472,050		
Frais de Tournées	7,000		
Matériel	40,000		
Service de la Monnaie	42,000		
Achat des Matières et frais de fabrication de pièces de Monnaies de Cuivre		100,000	
Magasin Général des Papiers ..	133,500		
Rédaction de Documents Statistiques ..	19,500		
	<hr/>	<hr/>	
			835,050

CHAP. II.—*Administration du Trésor dans les Provinces.*

Traitement des Directeurs ..	69,000		
Frais de Bureau, de Commis, de Loyer, &c., des Directeurs ..	17,550		
Caissier Général de l'Etat ..	200,000		
	<hr/>		
			286,551

CHAP. III.—*Administration des Contributions Directes, Douanes et Accises.*

Surveillance Générale (Traitements)	331,400		
Service de la Conservation du Cadastre (Traitements).. ..	304,700		
Service des Contributions Directes, des Accises et de Comptabilité :			
Traitements fixes	1,120,700		
Remises proportionnelles et Indemnités	1,385,000		
Service des Douanes et de la Recherche Maritime	3,999,050		
Service de la Garantie des Matières et Ouvrages d'Or et d'Argent ..	47,900		
Honoraires fixes des Avocats de l'Administration	40,000		
Suppléments de Traitements ..	25,000		
Traitements Temporaires des Fonctionnaires et Employés non Replacés		160,000	
(Les Crédits Portés aux Articles XII, XIII, XIV, XVI, XVII, XVIII, XIX et XX du présent Chapitre pourront être réunis et transférés de l'un de ces Articles sur les autres, selon les besoins qui résulteront de la mise à			

exécution de la nouvelle organisation de l'administration des contributions dans les provinces.)	<i>Francs.</i>	<i>Francs.</i>	<i>Francs.</i>
Frais de Bureau et de Tournées ..	46,640		
Indemnités, Primes et Dépenses Diverses	289,200		
Police Douanière	5,000		
Matériel	140,000		
Frais Généraux d'Administration de l'Entrepôt d'Anvers	19,450		
			7,914,040

CHAP. IV.—*Administration de l'Enregistrement et des Domaines.*

Traitement du Personnel de l'Enregistrement	328,500	8,500	
Traitement du Personnel du Timbre	49,200		
Traitement du Personnel du Domaine	93,090		
Traitement du Personnel Forestier..	241,900		
Remises des Receveurs.—Frais de Perception	775,000		
Remises des Greffiers	46,000		
Matériel	55,000		
Frais de Poursuites et d'Instances ..	50,000		
Dépenses du Domaine	85,000		
			1,732,190

CHAP. V.—*Pensions et Secours.*

Premier terme des Pensions à accorder éventuellement ..	17,500		
Secours à des Employés, Veuves ou Orphelins d'Employés qui, n'ayant pas des Droits à la Pension, ont néanmoins des titres à l'obtention d'un secours, à raison de leur position malheureuse	7,500		
	25,000		25,000

CHAP. VI.—*Dépenses Imprévues.*

Dépenses Imprévues non libellées au Budget	14,000		14,000
Total du Budget du Ministère des Finances ..	<i>Francs</i>		10,806,830

Promulguons la présente loi, ordonnons qu'elle soit revêtue du sceau de l'Etat et publiée par la voie du "Moniteur."

Donné à Laeken, le 4 Juin, 1850.

Par le Roi :

LEOPOLD.

Le Ministre des Finances, FRERE-ORBAN.

LOI de la Belgique, qui fixe le Budget de la Dette Publique pour l'Exercice 1851.—Laeken, le 4 Juin, 1850.

LEOPOLD, Roi des Belges, à tous présents et à venir, Salut.

Les Chambres ont adopté, et nous sanctionnons ce qui suit :

ARTICLE UNIQUE. Le Budget de la Dette Publique est fixé, pour l'Exercice 1851, à la somme de 35,897,441 francs, conformément au tableau ci-annexé.

TABLEAU du Budget de la Dette Publique pour l'Exercice 1851.

CHAP. I.— <i>Service de la Dette.</i>	<i>Francs.</i>	<i>Francs.</i>	<i>France.</i>
Arrérages de l'Inscription au Grand-Livre des Rentes créées sans expression de Capital, portée au nom de la ville de Bruxelles, en vertu de la Loi du 4 Décembre, 1842	300,000		
Arrérages de l'Inscription portée au même Grand-Livre au profit du Gouvernement du Royaume des Pays-Bas, en exécution du § 1er de l'Article LXIII du Traité du 5 Novembre, 1842	846,560		
Intérêts des Capitaux inscrits au Grand-Livre de la Dette Publique, à 2½ p. c., en exécution des §§ 2 à 6 inclus de l'Article LXIII du même Traité	5,502,640		
Frais relatifs à cette dette ..	3,000		
Intérêts de l'Emprunt de 30,000,000 de francs, à 4 p. c., autorisé par la Loi du 18 Juin, 1836	1,200,000		
Dotation de l'Amortissement de cet Emprunt ..	300,000		
		1,500,000	
Frais relatifs au même Emprunt ..		2,500	
Intérêts de l'Emprunt de 50,850,800 francs, à 3 p. c., autorisé par la Loi du 25 Mai, 1838, et du Capital de 7,624,000 francs, à 3 p. c., à émettre en vertu des Lois du 1er Mai, 1842, et du 24 Décembre, 1846 (semestres au 1er Février et au 1er Août, 1851)	1,754,244		
Dotation de l'Amortissement de ces 2 dettes (mêmes semestres) ..	584,748		
		2,338,992	

	<i>Francs.</i>	<i>Francs.</i>	<i>Francs.</i>
Frais relatifs aux mêmes dettes ..		39,000	
Intérêts de l'Emprunt de 86,940,000 francs, à 5 p.c., autorisé par la Loi du 26 Juin, 1840 (semestres au 1er Mai et au 1er Novembre, 1851)	4,347,000		
Dotation de l'Amor- tissement de cet Emprunt (mêmes semestres) ..	869,400		
	<hr/>	5,216,400	
Frais relatifs audit Emprunt ..	130,000		
Intérêts de l'Emprunt de 28,621,718 francs, à 5 p. c., autorisé par la Loi du 29 Septembre, 1842 (semestres au 1er Mai et au 1er Novembre, 1851)..	1,431,085		
Dotation de l'Amor- tissement de cet Emprunt (mêmes semestres) ..	286,217		
	<hr/>	1,717,303	
Frais relatifs audit Emprunt ..	45,000		
Intérêts, à 4½ p. c., sur un capital de 95,442,832 francs, montant des obligations dont l'émission a été autorisée par la Loi du 21 Mars, 1844 (semestres au 1er Mai et au 1er Novembre, 1851)	4,294,927		
Dotation de l'Amor- tissement de cette Dette (mêmes semestres) ..	954,428		
	<hr/>	5,249,355	
Frais relatifs à la même Dette (Article II de la Loi du 21 Mars, 1844)	15,000		
Intérêts de l'Emprunt de 84,656,000 francs, à 4½ p. c., autorisé par la Loi du 22 Mars, 1844 (semestres au 1er Mai et au 1er Novembre, 1850)	3,809,520		
Dotation de l'Amor- tissement de cet Emprunt, à ½ p. c., du capital (mêmes semestres) ..	423,280		
	<hr/>	4,232,800	
Frais relatifs audit Emprunt (Article II de la Loi du 22 Mars, 1844)	13,000		
Intérêts du capital de 37,768,000 francs, montant approximatif des 2 Emprunts, à 5 pour cent, de.			

	<i>Francs.</i>	<i>Francs.</i>	<i>Francs.</i>
crétés par les Lois du 26 Février et du 6 Mai, 1848 (année au 1er Novembre, 1851)	1,888,400		
Frais relatifs à ces 2 Emprunts ..	500		
Intérêts et frais présumés de la Dette flottante	700,000		
Rentes viagères.. ..		4,857	
Intérêts à payer aux anciens Con- cessionnaires de la Sambre Ca- nalisée, sur une somme de 12,317 francs		615	
Redevance annuelle à payer au Gou- vernement des Pays-Bas, en vertu des Art. XX et XXIII du Traité du 5 Novembre, 1842, pour l'entretien du Canal de Ter- neuzen et de ses dépendances..	105,820		
Rachat des Droits de Fanal men- tionnés au § 2 de l'Article XVIII du Traité du 5 No- vembre, 1842	21,164		
			29,872,909

CHAP. II.—*Rémunérations.*

Anciennes Pensions Ecclésiastiques tiercées		130,000
Pensions Civiles et autres accordées avant 1830.. ..		88,000
Pensions Civiques		130,000
Pensions des Veuves et Orphelins de l'Ancienne Caisse de Retraite..		512,000
Pensions Militaires	2,445,000	
Pensions de l'Ordre de Léopold ..	23,000	

Pensions Civiles accordées depuis 1830.

Affaires Etrangères :		
Marine	26,000	
Affaires Etrangères	31,000	
Justice :		
Ecclésiastiques	111,000	
Civiles	141,000	
Intérieur : Civiles	210,000	
Travaux : Publics Civiles	115,000	
Guerre : Civiles. . . .	26,000	
Finances : Civiles	1,510,000	
Cour des Comptes : Civiles ..	6,000	
Pensions de Militaires, décorés sous le Gouvernement des Pays-Bas		7,000
Secours sur le Fonds dit de Waterloo		11,000
Arriérés de Pensions de toute nature	5,000	
Traitements d'Attente (<i>Wachtgelden</i>)		21,382
Traitements ou Pensions Supplémen- taires (<i>Toelagen</i>)		11,150
Secours annuels (<i>Jaarlijksche Onder- standen</i>)		4,000
		5,564,532

CHAP. III.—*Fonds de Dépôts.*

	<i>Francs.</i>	<i>Francs.</i>	<i>Francs.</i>
Intérêts des Cautionnements versés en numéraire dans les caisses du Trésor Public pour la garantie de leurs gestions respectives, par des Fonctionnaires Comptables de l'Etat, par des Receveurs Communaux, des Receveurs de Bureaux de Bienfaisance, par des préposés de l'Administration du Chemin de Fer, par des Offi- ciers payeurs et divers préposés de l'administration de l'Armée, des Courtiers, des Agents de Change, etc., soumis à fournir un Cautionnement; et par des Con- tribuables, des Négociants, des Commissionnaires, etc., pour garantie du paiement de droits de Douanes d'Accises, etc., dont ils pourraient être éventuelle- ment redevables ..	387,000		
Intérêts Arriérés sur des Exercices clos ..	3,000		
	<hr/>	390,000	
Intérêts des Consignations faites dans les Caisses de l'Etat ..	70,000		
(Les crédits portés au présent Cha- pitre ne sont point limitatifs.)			460,000
TOTAL du Budget de la Dette Publique ..	<i>Francs</i>	35,897,441	

Promulguons la présente loi, ordonnons qu'elle soit revêtue du sceau de l'Etat et publiée par la voie du "Moniteur."

Donné à Laeken, le 4 Juin, 1850.

Par le Roi :

LEOPOLD.

Le Ministre des Finances, FRERE-ORBAN.

LOI de la Belgique, contenant le Budget de Non-Valeurs et des Remboursements pour l'Exercice 1851.—Laeken, le 5 Juin, 1850.

LEOPOLD, Roi des Belges, à tous présents et à venir, Salut.

Les Chambres ont adopté et nous sanctionnons ce qui suit :

ARTICLE UNIQUE. Le Budget des Non-Valeurs et des Remboursements est fixé, pour l'Exercice 1851, à la somme de 1,918,000 francs, conformément au tableau ci-annexé.

TABLEAU du Budget des Non-Valeurs et des Remboursements pour l'Exercice 1851.

CHAP. I.—*Non-Valeurs.*

	<i>Francs.</i>	<i>Francs.</i>	<i>Francs.</i>
Non-Valeurs sur la Contribution Foncière	310,000		
Non-Valeurs sur la Contribution Person-			
nelle	355,000		
Non-Valeurs sur le droit de Patente ..	80,000		
Non-Valeurs sur les redevances sur les			
Mines	18,000		
Non-Valeurs sur le droit de débit de Bois-			
sons Alcooliques	15,000		
Décharge ou remise du droit de Patente			
pour inactivité de bateaux.. ..	10,000		
(Les crédits portés au présent chapitre ne			
sont point limitatifs.)	—————		788,000

CHAP. II.—*Remboursements.*

Contributions Directes, Douanes et Accises.

Restitution de Droits perçus abusivement	28,000
Remboursement de la façon d'Ouvrages	
brisés par les Agents de la Garantie	1,000
Remboursement du péage sur l'Escaut ..	800,000

Enregistrement, Domaines et Forêts.

Restitution de Droits, Amendes, Frais, etc.,			
perçus abusivement en matière d'enre-			
gistement, de domaines, etc.—Rem-			
boursement de fonds reconnus appar-			
tenir à des tiers	250,000		
<i>Trésor Public.</i> —Remboursements divers	1,000		
<i>Postes.</i> —Remboursement de Postes aux			
Offices Etrangers.. .. .	40,000		
Déficit des divers Comptables de l'Etat ..	10,000		
(Les Crédits portés au présent Chapitre ne			
sont point limitatifs.)	—————		1,130,000
			—————
	TOTAL.	<i>Francs.</i>	1,918,000
			—————

Promulguons la présente loi, ordonnons qu'elle soit revêtue du sceau de l'Etat et publiée par la voie du "Moniteur."

Donné à Laeken, le 5 Juin, 1850.

Par le Roi :

LEOPOLD.

Le Ministre des Finances, FRERE-ORBAN.

LOI de la Belgique, qui fixe le Budget des Dépenses pour l'Exercice 1851.—Laeken, le 5 Juin, 1850.

LEOPOLD, Roi des Belges, à tous présents et à venir, Salut.

Les Chambres ont adopté et nous sanctionnons ce qui suit :

ARTICLE UNIQUE. Le Budget des Dépenses pour ordre est fixé, pour l'exercice 1851, à la somme de 12,720,000 francs, conformément au tableau ci-annexé.

TABLEAU du Budget des Dépenses pour l'Exercice 1851.

CHAP. I.—*Administration du Trésor Public.*

	<i>Francs.</i>	<i>Francs.</i>
Remboursement de Cautionnements versés en numéraire dans les Caisses du Gouvernement, pour garantie de leur gestion, par des Fonctionnaires comptables de l'Etat, par des Receveurs Communaux, des Receveurs de Bureaux de Bienfaisance, des préposés de l'Administration du Chemin de Fer, par des Courtiers, des Agents de Change, etc., et par des Contribuables, Négociants ou Commissionnaires, pour garantie du paiement de Droits de Douanes, d'Accises, etc.	1,200,000	
Remboursement de Fonds perçus au profit de la Caisse des Veuves et Orphelins des Fonctionnaires Civils	1,000,000	
Remboursement de Fonds perçus au profit de la Caisse des Veuves et Orphelins des Officiers de l'Armée.. ..	160,000	
Remboursement de Fonds perçus au profit de la Caisse des Pensions et de Prévoyance des Instituteurs Primaires	150,000	
Remboursement de Fonds versés au profit de la masse d'Habillement et d'Equipement de la Douane ..	250,000	
Emploi des Subsidés offerts pour Construction de Routes	200,000	
Attributions des parts des Communes dans les Frais de Confection des Atlas des Chemins vicinaux..	20,000	
Remboursement des recettes effectuées par l'Administration des Chemins de fer de l'Etat, pour compte des sociétés concessionnaires avec lesquelles elle est en relations	1,200,000	
		4,180,000

CHAP. II.—*Administration des Contributions Directes, Douanes et Accises.*

Répartition des produits d'amendes, saisies et Confiscations en matière de Contributions Directes, Douanes et Accises	120,000
Frais d'Expertise de la contribution personnelle ..	30,000
Droits de magasin des Entrepôts, au profit des Communes	40,000
Remboursement d'impôts au profit des Provinces ..	2,680,000

	<i>Francs.</i>	<i>Francs.</i>
Remboursement d'impôts au profit des Communes ..	2,320,000	
Remboursement de la Taxe Provinciale sur les Chiens	260,000	
	<hr/>	5,450,000

CHAP. III.—*Administration de l'Enregistrement et des Domaines.**Fonds de Tiers.*

Amendes Diverses et autres Recettes soumises aux	
Frais de Régie	120,000
Amendes de Consignations non soumises aux Frais	
de Régie	1,000,000
Remboursement de Revenus perçus pour Compte de	
Provinces	470,000

Consignations.

Remboursement de Consignations de toute Nature ..	1,500,000	
	<hr/>	3,090,000
Total du Budget des Dépenses pour ordre	<i>Francs</i>	<hr/> 12,720,000 <hr/>

Promulguons la présente loi, ordonnons qu'elle soit revêtue du sceau de l'Etat et publiée par la voie du "Moniteur."

Donné à Laeken, le 5 Juin, 1850.

Par le Roi :

LEOPOLD.

Le Ministre des Finances, FRERE-ORBAN.

LOI de la Belgique, qui fixe le Budget Général des Voies et Moyens pour l'Exercice 1851.—Laeken, le 26 Décembre, 1850.

LEOPOLD, Roi des Belges, à tous présents et à venir, Salut.

Les Chambres ont adopté et nous sanctionnons ce qui suit :

ART. I. Les impôts directs et indirects, existant au 31 Décembre, 1850, en principal et centimes additionnels ordinaires et extraordinaires, tant pour le fonds de non-valeurs qu'au profit de l'Etat, ainsi que la taxe des barrières, seront recouvrés, pendant l'année 1851, d'après les lois et les tarifs qui en règlent l'assiette et la perception.

Le principal de la contribution foncière est réparti entre les provinces, pour l'année 1851, conformément à la Loi du 9 Mars, 1848.

II. D'après les dispositions qui précèdent, le Budget des Recettes de l'Etat, pour l'Exercice 1851, est évalué à la somme de 116,432,550 francs; les recettes spéciales, provenant des ventes de biens domaniaux,

niaux, autorisées en vertu de la Loi du 3 Février, 1843, à la somme de 900,000 francs, et les recettes pour ordre à celle de 14,220,000 francs.

III. Pour faciliter le service du trésor, pendant le même exercice, le Gouvernement pourra, à mesure des besoins de l'Etat, mettre en circulation des bons du trésor jusqu'à concurrence de la somme de 30,000,000 de francs.

IV. La présente loi sera obligatoire de 1er Janvier, 1851.

TABLEAU du Budget des Voies et Moyens pour l'Exercice 1851.

IMPOTS.				
<i>Contributions Directes, Douanes, et Accises.</i>				
Foncier :			<i>Francs.</i>	<i>Francs.</i>
Principal .. ..	..	..	15,500,000	
3 centimes additionnels ordinaires .. ..	..	..	465,000	
2 centimes additionnels pour non-valeurs .. ..	..	..	310,000	
10 centimes additionnels extraordinaires .. ..	..	..	1,550,000	
3 centimes additionnels supplémentaires sur le tout ..	..	..	534,750	
			<hr/>	18,359,750
Personnel :				
Principal .. ..	..	..	8,364,000	
10 centimes additionnels extraordinaires .. ..	..	..	836,400	
			<hr/>	9,200,400
Patentes :				
Principal .. ..	..	..	2,819,000	
10 centimes additionnels extraordinaires .. ..	..	..	281,900	
			<hr/>	3,100,900
Redevances sur les Mines :				
Principal .. ..	..	..	180,000	
10 centimes ordinaires pour non-valeurs .. ..	..	..	18,000	
5 centimes sur les 2 sommes précédentes, pour Frais de Perception .. ..	..	..	9,900	
			<hr/>	207,900
Droit de Débit des Boissons Alcooliques ..			..	900,000
Douanes :				
Droits d'Entrée (16 centimes additionnels) .. ..	..	..	11,400,000	
Droits de Sortie (16 centimes additionnels) .. ..	..	..	300,000	
Droits de Transit (16 centimes additionnels) .. ..	..	..	40,000	

	<i>Francs.</i>	<i>Francs.</i>	<i>Francs.</i>
Droits de Tonnage (16 centimes additionnels)	400,000		
Timbres	35,000		
	<hr/>	12,175,000	
Accises :			
Sel (sans additionnels) ..	4,400,000		
Vins Etrangers (26 centimes additionnels et Timbres collectifs)	2,100,000		
Eaux-de-vie Etrangères (sans additionnels)	250,000		
Eaux-de-vie Indigènes (sans additionnels)	3,750,000		
Bières et Vinaigres (26 centimes additionnels et Timbres collectifs)	6,300,000		
Sucres	3,500,000		
Timbres :			
Sur les Quittances ..	5,000		
Sur les Permis de Circulation	1,000		
	<hr/>	20,306,000	
Garantie :			
Droits de Marque des Matières d'Or et d'Argent		130,000	
Recettes Diverses :			
Droits de Magasin des Entrepôts, perçus au profit de l'Etat	225,000		
Recettes extraordinaires et accidentelles	30,000		
	<hr/>	255,000	

Enregistrement et Domaines.

Droits, additionnels et amendes :			
Enregistrement (principal et 30 centimes additionnels)	10,500,000		
Greffé (principal et 30 centimes additionnels) ..	300,000		
Hypothèques (principal et 26 centimes additionnels) ..	1,650,000		
Successions (principal et 30 centimes additionnels) ..	6,000,000		
Timbre (principal et sans additionnels)	3,000,000		
Naturalisations	5,000		
Amendes en Matière d'Impôts	140,000		
Amendes de Condamnation en Matières Diverses ..	135,000		
	<hr/>	20,730,000	
		<hr/>	86,364,950

PEAGES.

Domaines :			
Rivières et Canaux	2,905,000		
Routes appartenant à l'Etat ..	1,765,000		
	<hr/>	4,670,000	

Travaux Publics.

Postes :	Francs.	Francs.	Francs.
Taxe des Lettres et Affranchis- ments.. ..	2,800,000		
Port des Journaux et Imprimés	130,000		
Droits sur les Articles d'Argent	15,000		
Remboursements d'Offices Etran- gers	200,000		
Emoluments perçus en vertu de la Loi du 19 Juin, 1842 ..	55,000		
	<hr/>	3,200,000	

MARINE.

Produits du Service des Bateaux à vapeur entre Ostende et Douvres	200,000	8,070,000
	<hr/>	

*CAPITAUX ET REVENUS.**Travaux Publics.*

Chemin de Fer.. ..	15,200,000
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Enregistrement et Domaines.

Domaines (valeurs capitales) ..	1,000,000
Forêts.. ..	1,100,000
Dépandances des Chemins de Fer ..	50,000
Etablissements et Services Régis par l'Etat	250,000
Produits Divers et Accidentels ..	300,000
Revenus des Domaines	300,000
	<hr/>
	3,000,000

Trésor Public.

Produits Divers des Prisons (Pistoles, Cantines, Vente de vieux Effets)	120,000
Produits de l'Emploi des Fonds de Cautionnements et Consignations	535,000
Produits des Actes des Commissariats Maritimes	50,000
Produits des Droits de Chancellerie	25,000
Produits des Droits de Pilotage et de Fanal	570,000
Produits de la Fabrication de Mon- naies de Cuivre	145,000
Produit de la Retenue de 1 p.c. sur les Traitements et remises ..	240,000
	<hr/>
	1,685,000
	<hr/>
	19,885,000

*REMBOURSEMENTS.**Contributions Directes, &c.*

Prix d'Instruments fournis par l'Ad- ministration des Contributions, &c.	1,000
Frais de Perception des Centimes Provinciaux et Communaux ..	100,000
	<hr/>
	101,000

	<i>Francs.</i>	<i>Francs.</i>	<i>Francs.</i>
Reliquats de Comptes Arrêtés et non Arrêtés par la Cour des Comptes.—Déficit des Comptables	100,000		
Recouvrements d'Avances faites par les Divers Départements ..	635,000		
	<hr/>	735,000	

Enregistrement et Domaines.

Recouvrement d'avances faites par le Ministère de la Justice aux Ate- liers des Prisons, pour achats de Matières Premières	830,000		
Recettes Accidentelles	225,000		
Abonnements des Provinces pour Réparations d'Entretien dans les Prisons	23,600		
Chemin de Fer Rhénan.—Dividendes de 1851	150,000		

Trésor Public.

Prélèvement à faire sur la Caisse Générale de Retraite, pour Frais d'Administration ..	48,000		
	<hr/>	1,276,600	
		<hr/>	2,112,600
TOTAL.		<i>Francs</i>	<u>116,432,550</u>

Fonds Spécial.

Produit des Ventes de Biens domaniaux autorisées par la Loi du 3 Février, 1843	900,000
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RECETTES POUR ORDRE.

CHAP. I.—*Trésor Public.*

Cautionnements versés en numéraire dans les Caisses du Trésor Public de Belgique, par des Comptables de l'Etat, par des Receveurs Communaux, des Receveurs de Bureaux de Bienfaisance, des préposés aux Bureaux de Station de l'Administration du Chemin de Fer, &c., pour garantie de leur gestion, et Cautionnements fournis par des Contribuables pour garantie du paiement de droits en matière de Douanes, d'Accises, &c.	1,200,000
Caisse des Veuves des Fonctionnaires Civils ..	1,000,000
Caisse des Veuves et Orphelins des Officiers de l'Armée	160,000
Caisse des Pensions et de Prévoyance des Instituteurs Primaires	150,000

	<i>Francs.</i>	<i>Francs.</i>
Masse d'Habillement et d'Equipement de la Douane	250,000	
Subsides offerts pour Construction de Routes ..	200,000	
Parts des Communes dans les Frais de Confection des Atlas des Chemins vicinaux	20,000	
Recettes effectuées par l'Administration des Che- mins de Fer de l'Etat pour Compte des Sociétés Concessionnaires avec lesquelles elle est en Relation	1,200,000	
Caisse Générale de Retraite	1,500,000	
	<hr/>	5,680,000

CHAP. II.—*Contributions Directes, Douanes et Accises.*

Répartition du Produit d'Amendes, Saisies et Confiscations en matière de Contributions Directes, Douanes et Accises	120,000	
Frais d'Expertises de la Contribution Personnelle..	30,000	
Droits de Magasin des Entrepôts au Profit des Communes	40,000	
Recouvrement d'Impôts au Profit des Provinces ..	2,680,000	
Recouvrement d'Impôts au Profit des Communes	2,320,000	
Taxe Provinciale sur les Chiens	260,000	
	<hr/>	5,450,000

CHAP. III.—*Enregistrement et Domaines.*

FONDS DE TIERS.

Amendes Diverses et autres Recettes soumises aux Frais de Régie	120,000	
Amendes de Consignations et autres Recettes non assujetties aux Frais de Régie	1,000,000	
Recouvrement de Revenus pour Compte de Pro- vinces, déduction faite des Frais de Régie ..	470,000	

CONSIGNATIONS.

Consignations de toute nature.. ..	1,500,000	
	<hr/>	3,090,000
TOTAL des Recettes pour Ordre	<i>Francs</i>	<hr/> 14,220,000 <hr/>

Promulguons la présente loi, ordonnons qu'elle soit revêtue du sceau de l'Etat et publiée par la voie du "Moniteur."

Donné à Laeken, le 26 Décembre, 1850.

Par le Roi :

LEOPOLD.

Le Ministre des Finances, FRERE-ORBAN.

LOI de la Belgique, qui fixe le Budget du Ministère de l'Intérieur pour l'Exercice 1851.—Bruxelles, le 28 Décembre, 1850.

LEOPOLD, Roi des Belges, à tous présents et à venir, Salut.

Les Chambres ont adopté et nous sanctionnons ce qui suit :

ARTICLE UNIQUE. Le Budget du Ministère de l'Intérieur est fixé, pour l'Exercice 1851, à la somme de 6,160,522 francs, conformément au tableau ci-annexé.

TABLEAU du Budget du Ministère de l'Intérieur pour l'Exercice 1851.

CHAP. I.—*Administration Centrale.*

	<i>Personnel.</i>	<i>Francs.</i>	<i>Francs.</i>	<i>Francs.</i>
Traitement du Ministre	21,000		
Traitement des Fonctionnaires, Employés et Gens de Service	192,050		

Matériel.

Fournitures de Bureau, Impressions, Achats et Réparations de Meubles, Eclairage, Chauffage et menues dépenses	30,000		
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Frais de Déplacement.

Frais de Route et de Séjour, Courriers Extraordinaires	3,500		
				246,550

CHAP. II.—*Pensions et Secours.*

Pensions.—Premier terme des Pensions à accorder éventuellement .. ..	.. ..	6,000		
Secours à d'anciens Employés Belges aux Indes, ou à leurs Veuves .. ..	.. ..	5,000		
Secours à d'anciens Fonctionnaires et Employés ou à leurs Veuves, qui, sans avoir droit à la Pension, ont néanmoins des titres à l'obtention d'un secours, à raison de leur position malheureuse ..	.. ..	7,000		
				18,000

CHAP. III.—*Statistique Générale.*

Personnel.

Frais de la Commission Centrale de Statistique et des Commissions Provinciales. Jetons de présence et Frais de Bureau	6,000		
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Matériel.

Frais de Publication des Travaux du Bureau de Statistique Générale, de la Commission Centrale et des Commissions Provinciales	8,000		
				14,000

CHAP. IV.—*Frais de l'Administration dans les Provinces.**Province d'Anvers.*

	<i>Francs.</i>	<i>Francs.</i>	<i>Francs</i>
Traitement du Gouverneur, des Députés du Conseil Provincial et du Greffier Provincial	37,700		
Traitement des Employés et Gens de Service	41,000		
Frais de Route, Matériel et Dépenses Imprévues	18,300		

Province de Brabant.

Traitement du Gouverneur, des Députés du Conseil Provincial et du Greffier Provincial	37,700		
Traitement des Employés et Gens de Service	49,575		
Frais de Route, Matériel et Dépenses Imprévues	18,700		

Province de Flandre Occidentale.

Traitement du Gouverneur, des Députés du Conseil Provincial et du Greffier Provincial	37,700		
Traitement des Employés et Gens de Service	41,300		
Frais de Route, Matériel et Dépenses Imprévues	19,250		

Province de la Flandre Orientale.

Traitement du Gouverneur, des Députés du Conseil Provincial et du Greffier Provincial	37,700		
Traitement des Employés et Gens de Service	45,000		
Frais de Route, Matériel et Dépenses Imprévues	18,500	5,000	

Province de Hainaut.

Traitement du Gouverneur, des Députés du Conseil Provincial et du Greffier Provincial	37,700		
Traitement des Employés et Gens de Service	52,840		
Frais de Route, Matériel et Dépenses Imprévues	18,930		

Province de Liège.

Traitement du Gouverneur, des Députés du Conseil Provincial et du Greffier Provincial	37,700		
Traitement des Employés et Gens de Service	43,800		
Frais de Route, Frais de Loyer, Matériel et Dépenses Imprévues	18,690	5,800	

Province de Limbourg.

Traitement du Gouverneur, des Députés du Conseil Provincial et du Greffier Provincial	37,700		
Traitement des Employés et Gens de Service	33,000		

Frais de Route, Matériel et Dépenses Im- prévues	Francs.	Francs.	Francs.
	14,997		

Province de Luxembourg.

Traitement du Gouverneur, des Députés du Conseil Provincial et du Greffier Pro- vincial	37,700		
Traitement des Employés et Gens de Service	31,800		
Frais de Route, Matériel et Dépenses Im- prévues	15,200		

Province de Namur.

Traitement du Gouverneur, des Députés du Conseil Provincial et du Greffier Pro- vincial	37,700		
Traitement des Employés et Gens de Service	36,000		
Frais de Route, Matériel et Dépenses Im- prévues	14,700		
	<hr/>	<hr/>	881,682

CHAP. V.—*Frais de l'Administration dans les Arrondissements.*

Traitement des Commissaires d'Arrondisse- ments	166,800		
Emoluments pour Frais de Bureau ..	81,200		
Frais de Route et de Tournées	22,500		
Frais d'exploits relatifs aux Appels inter- jeté d'Office, en vertu de l'Art. VII de la Loi du 1er Avril, 1843	500		
	<hr/>	<hr/>	271,000

CHAP. VI.—*Poids et Mesures.*

Traitement des Vérificateurs et Aspirants- Vérificateurs des Poids et Mesures ..	53,400		
Frais de Bureau	6,150		
Frais de Tournées	11,850		
	<hr/>		
	18,000		
Matériel	2,000		
	<hr/>	<hr/>	73,400

CHAP. VII.—*Voirie Vicinale.*

Encouragements divers pour l'améliora- tion de la Voirie Vicinale	492,800		492,800
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CHAP. VIII.—*Milice.*

Indemnités des Membres des Conseils de Milice (qu'ils résident ou non au lieu où siège le Conseil) et des Secrétaires de ces Conseils. Frais d'impression et de voyages pour la levée de la Milice. Vacations des Officiers de santé en matière de Milice. Primes pour arres- tation de Réfractaires	63,000		
Frais d'Impression des Listes Alphabétiques, et des Registres d'Inscription	2,100		
	<hr/>	<hr/>	65,100

CHAP. IX.—*Garde Civique.*

	<i>Francs.</i>	<i>Francs.</i>	<i>Francs.</i>
Inspecteur-Général et Commandants Supérieurs de la Garde Civique. Frais de Tournées	6,885		
Achat, Entretien et Réparation des Armes et objets d'Equipement, &c. ..	13,115		
			20,000

CHAP. X.—*Fêtes Nationales.*

Frais de Célébration des Fêtes Nationales	30,000		30,000
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CHAP. XI.—*Récompenses Honorifiques et Pécuniaires.*

Médailles ou Récompenses pécuniaires pour actes de dévouement et de courage ..	7,000		7,000
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CHAP. XII.—*Légion d'Honneur et Croix de Fer.*

Dotation en faveur de Légionnaires et de Veuves de Légionnaires, et Pension de 100 francs par personne aux décorés de la Croix de Fer, peu favorisés de la fortune; subsides à leurs Veuves ou Orphelins	100,000		
Subsides au fonds spécial des Blessés de Septembre et à leurs Familles ..	..	22,000	
			122,000

CHAP. XIII.—*Agriculture.*

Indemnités pour Bestiaux abattus ..	150,000		
Service Vétérinaire	50,000		
Traitement et Indemnité du Personnel du Haras	49,000		
Matériel et Achat d'Etalons. Conseil Supérieur et Commissions Provinciales d'Agriculture. Encouragements à l'Agriculture	380,000		
Inspection de l'Agriculture et de la voirie vicinale	9,000		
Ecole de Médecine Vétérinaire et d'Agriculture de l'Etat.—Traitement du Personnel Administratif et Enseignant et des Gens de Service	55,800		
Matériel de l'Ecole Vétérinaire. Jury Vétérinaire	72,700		
Subside à la Société Royale d'Horticulture de Bruxelles	24,000		
			790,500

CHAP. XIV.—*Industrie.*

Traitement de l'Inspecteur et des Membres du Comité Consultatif pour les affaires d'Industrie	7,600		
Encouragements à l'Industrie	33,000		
Subsides en faveur de l'Industrie linière et de la Classe des Tisserands et des Fileuses; distribution de Métiers, &c. ..	..	140,000	

	<i>Francs.</i>	<i>Francs.</i>	<i>Francs.</i>
Primes et Encouragements aux Arts Mécaniques et à l'Industrie, aux termes de la Loi du 25 Janvier, 1817, No. 6, sur les Fonds provenant des Droits de Brevets, Frais de Bureau	12,700		

Musée de l'Industrie.

Traitement du Personnel	16,748		
Matériel et Frais Divers	11,252		
			231,300

CHAP. XV.—*Instruction Publique.**Enseignement Supérieur.*

Traitement des Fonctionnaires et Employés des 2 Universités de l'Etat	518,600		
Bourses.—Matériel des Universités.—Frais de l'Enseignement Normal près la Faculté de Philosophie et Lettres de l'Université de Liège, et près la Faculté des Sciences de l'Université de Gand..	106,800		
Frais du Jury d'Examen pour les Grades Académiques	50,000		
Dépenses du Concours Universitaire, y compris les frais d'impression des Annales des Universités	10,000		
			685,400

CHAP. XVI.—*Enseignement Moyen.*

Traitement de l'Inspecteur des Athénées et Colléges	5,000		
Frais de Tournée et autres Dépenses de l'Inspection des Athénées et Colléges; partie des Dépenses du Concours de l'Enseignement Moyen	5,000		
Subsides aux Etablissements d'Enseignement Moyen et aux Ecoles Industrielles et Commerciales autres que les Ecoles de Manufactures, Ateliers d'Apprentissage, &c.	273,000		
Indemnités aux Professeurs démissionnés des Athénées et Colléges	5,000		
			288,000

CHAP. XVII.—*Enseignement Primaire.*

Inspection Civile de l'Enseignement Primaire et des Etablissements qui s'y rattachent (personnel)	34,000		
Ecoles Normales de l'Etat à Lierre et à Nivelles.—Personnel	60,000		
Autres Dépenses de l'Inspection et Frais d'Administration. — Matériel et Dépenses des Ecoles Normales de l'Etat, Ecoles Normales adoptées. — Ecoles primaires supérieures.—Service annuel			

	<i>Francs.</i>	<i>Francs.</i>	<i>Francs.</i>
ordinaire de l'Instruction Primaire Communale; Subsidés aux Communes; Matériel, Construction, Réparations et Ameublement de Maisons d'Ecole; Encouragements (Subsidés pour les Bibliothèques de Conférences trimestrielles des Instituteurs dans les 9 Provinces); Récompenses en Argent ou en Livres aux Instituteurs Primaires qui font preuve d'un zèle extraordinaire et d'une grande aptitude dans l'exercice de leurs fonctions; Caisses de Prévoyance; Souscription à des Livres Classiques pour les Bibliothèques des Ecoles Primaires Supérieures et d'autres Institutions dépendant de l'Etat; Encouragements aux Recueils Périodiques concernant l'Instruction Primaire; Subsidés pour la publication d'ouvrages Elémentaires destinés à répandre l'Enseignement professionnel et Agricole; Subsidés à des Etablissements Spéciaux, Ecoles d'Adultes, &c.	1,105,731		
Subsidés pour donner l'Enseignement aux Sourds-muets et aux Aveugles ..	16,000		
			1,215,731

CHAP. XVIII.—*Lettres et Sciences.*

Encouragements, Souscriptions, Achats. Publication des Chroniques Belges inédites. Publication des Documents rapportés d'Espagne. Exécution et Publication de la Carte Géologique ..	54,800	11,200	
Bureau de Paléographie annexé à la Commission Royale d'Histoire. Personnel..	3,000		
Académie Royale des Sciences, des Lettres et des Beaux-Arts de Belgique ..	40,000		
Observatoire Royal:			
Personnel	14,840		
Matériel et Acquisitions	7,160		
Bibliothèque Royale:			
Personnel	26,680		
Matériel et Acquisitions	33,320		
Musée Royal d'Histoire Naturelle:			
Personnel	8,600		
Matériel et Acquisitions	7,000		
Subside à l'Association des Bollandistes pour la Publication des Acta Sanctorum ..		4,000	
Archives du Royaume:			
Personnel	23,750		
Matériel.. ..	2,600		
Frais de Publication des Inventaires des Archives	4,000		
Archives de l'Etat dans les Provinces. Personnel	10,800		

	<i>Francs.</i>	<i>Francs.</i>	<i>Francs.</i>
Archives de l'Etat dans les Provinces ; Frais de Recouvrement de Documents provenant des Archives, tombés dans des mains privées ; Frais de copie de Documents concernant l'Histoire Na- tionale	4,000		
Location de la Maison servant de succur- sale au Dépôt Général des Archives de l'Etat	3,000		
	<hr/>	<hr/>	258,750

CHAP. XIX.—*Beaux-Arts.*

Encouragements, Souscriptions, Achats. Pub- lication du Musée populaire de Belgique. Concours de Composition Musicale. Pensions des Lauréats. Académies et Ecoles des Beaux-Arts, autres que l'Aca- démie d'Anvers. Concours de Peinture, de Sculpture, d'Architecture et de Gravure. Pensions des Lauréats ..	110,000	15,000	
Académie Royale d'Anvers	27,500		
Conservatoire Royal de Musique de Bruxelles	45,000		
Conservatoire Royal de Musique de Liège. .	20,000		
Musée Royal de Peinture et de Sculpture :			
Personnel	5,100		
Matériel et Acquisitions	13,900		
Musée Royal d'Armures et d'Antiquités :			
Personnel	3,800		
Matériel et Acquisitions	7,200		
Entretien du Monument de la Place des Martyrs, des Jardins et des Arbustes. Salaire des Gardiens	2,000		
Monuments à élever aux Hommes Illustres de la Belgique, avec le concours des Villes et Provinces ; Médailles à con- sacrer aux événements mémorables ..	10,000		
Subsides aux Provinces, aux Villes et aux Communes dont les ressources sont in- suffisantes pour la restauration des Monuments	30,000	3,200	
Commission Royale des Monuments :			
Personnel	1,400		
Matériel, Frais de Déplacement ..	4,600		
Monument à ériger en commémoration du Congrès National .. .. .	..	5,000	
Exposition Nationale des Beaux-Arts ..	..	20,000	
	<hr/>	<hr/>	323,700

CHAP. XX.—*Service de Santé.*

Frais des Commissions Médicales Provin- ciales, Police Sanitaire et service des Epidémies	39,500		
Encouragements à la Vaccine. Service Sani- taire des Ports de Mer et des Côtes. Subsides aux Elèves Sages-Femmes.			

	<i>Francs.</i>	<i>Francs.</i>	<i>Francs.</i>
Subsides aux Communes en cas d'Epidémie ; Impressions et Dépenses imprévues	26,300		
Académie Royale de Médecine	20,000		
Conseil supérieur d'Hygiène Publique.— Jetons de présence et frais de Bureau	4,200		
	<hr/>	<hr/>	90,800

CHAP. XXI.—*Eaux de Spa.*

Subsides pour les Etablissements Publics de la Commune de Spa	20,000	..	20,000
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CHAP. XXII.—*Traitements de Disponibilité.*

Traitements temporaires de Disponibilité. .	..	10,859	10,859
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CHAP. XXIII.—*Dépenses Imprévues.*

Dépenses Imprévues non libellées au Budget	9,900	..	9,900
Dépenses et Locations et autres frais relatifs au terrain des courses .. ..	..	4,650	
	<hr/>	<hr/>	14,550

TOTAL du Budget du Ministère de l'Intérieur *Francs* 6,160,322

Promulguons la présente loi, ordonnons qu'elle soit revêtue du sceau de l'Etat et publiée par la voie du "Moniteur."

Donné à Bruxelles, le 28 Décembre, 1850.

Par le Roi :

LEOPOLD.

Le Ministre de l'Intérieur, CH. ROGIER.

LOI de la Belgique, qui fixe le Budget du Ministère de la Justice pour l'Exercice 1851.—Laeken, le 29 Décembre, 1850.

LEOPOLD, Roi des Belges, à tous présents et à venir, Salut.

Les Chambres ont adopté et nous sanctionnons ce qui suit :

ARTICLE UNIQUE. Le Budget du Ministère de la Justice est fixé, pour l'Exercice 1851, à la somme de 12,051,940 francs, conformément au tableau ci-annexé.

TABLEAU du Budget du Ministère de la Justice pour l'Exercice 1851.

CHAP. I.—*Administration Centrale.*

	<i>Francs.</i>	<i>Francs.</i>	<i>Francs.</i>
Traitement du Ministre	21,000		
Traitement des Fonctionnaires, Employés et Gens de Service	172,150	12,400	
Matériel	23,000		
Frais d'Impression de Recueils Statistiques	6,000		
Frais de Route et de Séjour	6,000		
	<hr/>		240,550

CHAP. II.—*Ordre Judiciaire.*

		<i>Francs.</i>	<i>Francs.</i>	<i>Francs.</i>
Cour de Cassation.—Personnel	215,000	5,500		
Matériel	5,250			
Cour d'Appel.—Personnel	496,600	80,000		
Matériel	18,000			
Tribunaux de Première Instance et de Commerce	1,009,395	43,350		
Justices de Paix et Tribunaux de Police ..	550,800	4,240		
				2,423,153

CHAP. III.—*Justice Militaire.*

Cour Militaire.—Personnel	16,070	6,474		
Matériel	2,000	500		
Auditeurs Militaires et Prévôts	29,819	2,212		
Frais de Bureau et Indemnité pour Feu et Lumière	3,540			
				60,615

CHAP. IV.—*Frais de Justice.*

Frais de Justice en Matière Criminelle, Correctionnelle et de Police ..	646,385			
Traitement des Exécuteurs des Arrêts Criminels et des préposés à la conduite des Voitures Cellulaires	9,800	22,815		
				679,000

CHAP. V.—*Palais de Justice.*

Constructions, réparations, loyers de locaux. —Subsides aux Provinces et aux Communes, pour les aider à fournir les locaux convenables pour le service des Tribunaux et Justices de Paix ..	35,000	40,000		
				75,000

CHAP. VI.—*Publications Officielles.*

Impression du "Recueil des Lois," du "Moniteur," et des "Annales Parlementaires" pour laquelle il pourra être Traité de gré à gré	110,000			
Abonnement au Bulletin des Arrêts de la Cour de Cassation	3,000			
Publication d'un Recueil des Anciennes Lois des Pays-Bas Autrichiens, de la Principauté de Liège et d'autres pays, dont le territoire est compris dans le Royaume de Belgique; publication d'un Recueil d'Instructions-Circulaires émancées du Département de la Justice depuis la réunion de la Belgique à la France en 1795. Impression d'Avant-Projets de Loi à envoyer à l'avis des Cours et Tribunaux, et des Facultés de Droit des Universités du Royaume ..	9,000			
				122,000

CHAP. VII.—*Pensions et Secours.*

	<i>Francs.</i>	<i>Francs.</i>	<i>Francs.</i>
Pensions Civiles	10,000		
Secours à des Magistrats ou à des Veuves et Enfants Mineurs de Magistrats, qui, sans avoir droit à une Pension, ont des titres à un secours, par suite d'une position malheureuse	12,000		
Secours à des Employés, ou Veuves et Enfants Mineurs d'Employés dépendant du Ministère de la Justice, se trouvant dans le même cas que ci-dessus ..	3,000		
			25,000

CHAP. VIII.—*Cultes.*

Clergé supérieur du Culte Catholique, Personnel Enseignant et Dirigeant des Grands Séminaires, à l'exception de celui de Liège	311,700		
Bourses et Demi-Bourses affectées aux Grands Séminaires, à l'exception de celui de Liège	62,010		
Clergé inférieur du Culte Catholique, Déduction faite de 8,462 francs, pour revenus de Cures	3,341,030		
Subsides aux Provinces, aux Communes, et aux Fabriques d'Eglises, pour les Edifices servant au Culte Catholique, y compris les Tours Mixtes et les Frais du Culte dans l'Eglise du Camp de Beverloo	394,000	26,000	
Culte Protestant et Anglican (personnel) ..	48,871		
Subsides pour Frais du Culte et Dépenses Diverses	9,029		
Culte Israélite (personnel)	8,600		
Frais de Bureaux du Consistoire Central et Dépenses Imprévues	900		
Pensions et Secours pour les Ministres des Cultes, Secours aux Anciens Religieux et Religieuses	24,000		
			4,226,140

CHAP. IX.—*Etablissements de Bienfaisance.*

Frais d'entretien et de transport de Mendians et d'Insensés, dont le domicile de secours est inconnu	30,000
Subsides: 1°. A accorder extraordinairement à des Etablissements de Bienfaisance et à des Hospices d'Aliénés; 2°. Aux communes pour l'entretien et l'Instruction des Aveugles et Sourds-Muets, Indigents, dans le cas de l'Art. CXXXI, No. 17, de la Loi Communale; 3°. Pour secours aux victimes de l'Ophthalmie Militaire qui n'ont pas droit à une pension ou à un secours à la charge du Département de la Guerre. .	85,000

	<i>Francs.</i>	<i>Francs.</i>	<i>Francs.</i>
Subsides pour les Enfants trouvés et abandonnés, sans préjudice du concours des Communes et des Provinces ..	145,000		
Subsides pour le patronage des condamnés libérés	50,000		
Etablissement des Ecoles de Réforme pour Mendians et Vagabonds âgés de moins de 18 ans	132,285	142,715	585,000

CHAP. X.—*Prisons.*SECTION Ire.—*Service Domestique.*

Frais d'entretien, d'habillement, et de nourriture des Détenus	1,060,000	440,000	
Gratifications aux Détenus employés au service domestique	34,000		
Frais d'habillement des Gardiens ..	20,000		
Frais de voyage des Membres des Commissions Administratives des Prisons, ainsi que des Fonctionnaires et Employés, des mêmes établissements	11,000		
Traitement des Employés attachés au service domestique	420,000		
Frais d'Impressions et de Bureau ..	10,000	10,000	
Constructions nouvelles, réparations, entretien des Bâtiments	160,000	470,000	
Honoraires et Indemnités de Route aux Architectes, pour la rédaction de projets de Prisons, la direction et la surveillance journalière des Constructions ..		22,000	
Traitement et Frais de Route du Contrôleur des Constructions dans les Prisons ..		5,500	
Achat et entretien du Mobilier dans les Prisons.—Frais de Couchage des Gardiens, des Surveillants et des Détenus	55,000		

SECTION 2.—*Service des Travaux.*

Achat de matières premières et ingrédients pour la fabrication. . . .	570,000		
Gratifications aux Détenus	165,000		
Frais d'Impressions et de Bureau ..	5,000	5,000	
Traitements et tantièmes des Employés ..	85,000		
			3,547,500

CHAP. XI.—*Frais de Police.*

Mesures de sûreté publique	58,000		58,000
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CHAP. XII.—Dépenses Imprévues non libellées au Budget	5,000		5,000
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TOTAL du Budget du Ministère de la Justice *Francs* 12,501,940

Promulguons la présente loi, ordonnons qu'elle soit revêtue du sceau de l'Etat et publiée par la voie du "Moniteur."

Donné à Laeken, le 29 Décembre, 1850.

Par la Roi :

LEOPOLD.

Le Ministre de la Justice, VICTOR TESCH.

LOI de la Belgique, qui fixe le Budget du Ministère des Affaires Etrangères pour l'Exercice 1851.—Bruxelles, le 30 Décembre, 1850.

LEOPOLD, Roi des Belges, à tous présents et à venir, Salut.

Les Chambres ont adopté et nous sanctionnons ce qui suit:

ART. UNIQUE. Le Budget du Ministère des Affaires Etrangères est fixé, pour l'Exercice 1851, à la somme de 2,157,758 francs, conformément au tableau ci-annexé.

TABLEAU du Budget du Ministère des Affaires Etrangères pour l'Exercice 1850.

CHAP. I.—Administration Centrale.

	Francs.	Francs.	Francs.
Traitement du Ministre	21,000		
Traitement du personnel des Bureaux ..	105,050		
Premier terme des Pensions à accorder éventuellement	2,000		
Secours à des Fonctionnaires, et Employés, à leurs Veuves ou Enfants, qui, sans avoir droit à la Pension, ont des titres à un secours, à raison de leur position malheureuse	1,000		
Matériel	37,600		
Achat de Décorations de l'Ordre de Léopold, sans que l'on puisse augmenter ce chiffre par des imputations sur d'autres Articles	8,000		
			174,650

CHAP. II.—Traitements des Agents Politiques.

Missions en Allemagne	87,000		
France	35,000		
Grande-Bretagne	52,000		
Pays-Bas	32,000		
Italie	32,000		
Danemark, Suède, et Hambourg ..	15,000		
Espagne	15,000		
Portugal	15,000		
Turquie	27,000		
Etats-Unis	18,000		
Brésil	18,000		
Mexique	18,000		
			364,000

CHAP. III.—Consulats.

Traitements des Agents Consulaires, et Indemnités à quelques Agents non rétribués	49,000		49,000
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CHAP. IV.—*Frais de Voyage.*

Frais de Voyage des Agents du Service Extérieur et de l'Administration Cen- trale, Frais de Courriers, Estafettes, Courses Diverses	Francs.	Francs.	Francs.
	70,500		70,500

CHAP. V.—*Frais à Rembourser aux Agents du Service Extérieur.*

Indemnités pour un Drogman, 7 Cavasses Employés dans les Résidences Consu- laires en Orient, &c., et pour un Capou-Oglan	5,700		
Frais divers	74,300		
			80,000

CHAP. VI.—*Missions Extraordinaires, Traitements d'Inactivité et Dépenses.
Imprévues.*

Missions Extraordinaires, Traitements d'Agents Politiques et Consulaires en Inactivité	40,000		
Dépenses Imprévues non libellées au Budget	4,000		
			44,000

CHAP. VII.—*Commerce, Navigation, Pêche.*

Ecoles de Navigation :			
Personnel	11,720		
Frais divers	7,280		
Chambres de Commerce	12,000		
Frais divers et Encouragements au Com- merce	19,900		
Encouragements pour la Navigation entre les Ports Belges et ceux d'Europe, sans que, dans l'un ou l'autre cas, les engagements puissent obliger l'Etat au-delà du crédit alloué pour l'exercice 1851, et sans que les crédits puissent excéder 40,000 francs par service, sauf pour le service au-delà du Cap Horn :			
Personnel	1,050		
Frais divers	113,350		
Primes pour Construction de Navires ..	95,000		
Pêche Maritime :			
Personnel	7,950		
Primes	92,050		
			360,300

CHAP. VIII.—MARINE.

Pilotage.

Personnel	169,410
Remises à payer aux Pilotes (Crédit non Limitatif)	187,510

Passage d'Eau.

Personnel	11,850
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Police Maritime.

	<i>Francs.</i>	<i>Francs.</i>	<i>Francs.</i>
Personnel	27,900		
Primes d'Arrestation aux Agents, et Vacations aux experts chargés de la surveillance de l'Embarquement des Emigrants (Crédit non Limitatif) ..	2,800		

Sauvetage.

Personnel	14,300
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Paquebots à Vapeur entre Ostende et Douvres pour le Transport des Lettres.

Traitements des Courriers et Agents ..	14,350
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*Bâtiments de l'Etat.*Brick *Duc de Brabant* (désarmé)

Canonnières Nos. 5 et 11 (désarmées).

Personnel	195,783
Vivres	54,385
Pensions	5,500
Dotation à la Caisse de Prévoyance ..	10,000
Magasin	2,000
Matériel des divers services	319,500

	1,015,288
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Total du Budget des Affaires Etrangères	<i>Francs</i>	2,157,738
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Promulguons la présente loi, ordonnons qu'elle soit revêtue du sceau de l'Etat et publiée par la voie du "Moniteur."

Donné à Bruxelles, le 30 Décembre, 1850.

Par le Roi :

LEOPOLD.

Le Ministre des Affaires Etrangères C. D'HOFFSCHMIDT.

LOI de la Belgique, qui fixe le Budget du Ministère des Travaux Publics, pour l'Exercice 1851.—Bruxelles, le 30 Décembre, 1850.

LEOPOLD, Roi des Belges, à tous présents et à venir, Salut.

Les Chambres ont adopté et nous sanctionnons ce qui suit :

ART. I. Le Budget du Ministère des Travaux Publics est fixé, pour l'Exercice 1851, à la somme de 16,251,863 francs, conformément au tableau ci-annexé.

TABLEAU du Budget du Ministère des Travaux Publics, pour l'Exercice 1851.

CHAP. I.—*Administration Centrale.*

	<i>Francs.</i>	<i>Francs.</i>	<i>Francs.</i>
Traitement du Ministre	21,000		
Traitement des Fonctionnaires, Employés et Gens de Service	306,350	17,000	
Frais de Route et de Séjour du Ministre, des Fonctionnaires et des Employés de l'Administration Centrale	18,100		
Matériel.—Fournitures de Bureau, Impressions, Achat et Réparations de Meubles, Chauffage, Eclairage, menues dépenses ..	40,000		
			402,450

CHAP. II.—*Ponts et Chaussées.—Bâtiments Civils, &c.*

SECTION I.—*Ponts et Chaussées.*

Entretien Ordinaire et améliorations de Routes, Construction de Routes Nouvelles, Etudes de Projets, &c. ..	2,618,600		
Plantations des Routes, &c.	41,200		

SECTION II.—*Bâtiments Civils.*

Entretien et Réparation des Palais, Hôtels, Edifices, et Monuments appartenant à l'Etat.	63,550		
Construction, dans la Cour de l'Hôtel du Ministère de l'Intérieur, d'un Bâtiment destiné au placement des Bureaux d'Expédition, &c. ..		18,500	
Construction d'un bâtiment pour le Dépôt des Archives du Gouvernement Provincial d'Anvers		29,000	

SECTION III.—*Service des Canaux et Rivières, des Bacs et Bateaux de Passage et des Poldres.*

Canal de Gand au Sas-de-Gand.

Entretien et Travaux d'Amélioration ..	26,348	4,850	
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Canal de Maestricht à Bois-le-Duc.

Entretien et Travaux d'Amélioration ..	92,585	46,750	
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Canal de Pommerœul à Antoing.

Entretien et Travaux d'Amélioration ..	96,489		
--	--------	--	--

Sambre Canalisée.

Entretien et Travaux de Dragage ..	103,782	14,447	
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Canal de Charleroy à Bruxelles.

Entretien et Travaux d'Amélioration ..	60,700	10,000	
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Service de l'Escaut.

Entretien et Travaux d'Amélioration ..	20,000	36,800	
--	--------	--------	--

SERVICE de la Lys.

Entretien et Travaux d'Amélioration ..	28,500	49,166	
--	--------	--------	--

Service de la Meuse dans les Provinces de Liège et de Namur.

	<i>Francs.</i>	<i>Francs.</i>	<i>Francs.</i>
Entretien et Travaux d'Amélioration ..	20,000	200,000	

Service de la Meuse dans le Limbourg.

Entretien et Travaux d'Amélioration ..	60,000	30,000	
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Service de la Dendre.

Entretien et Travaux d'Amélioration ..	10,534	58,000	
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Service du Rupel.

Travaux d'Entretien et d'Amélioration ..	8,000	39,000	
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Service de la Dyle et du Demer.

Entretien et travaux à faire pour obvier aux Inondations de la Dyle et du Demer	13,000	100,000	
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Senne.

Entretien d'Ouvrage d'Art, Loyer d'une Maison Eclusière à Vilvorde ..	2,250		
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Canaux de Gand à Ostende.

Entretien et Travaux d'Amélioration ..	26,179	24,616	
--	--------	--------	--

Canal de Mons à Condé.

Entretien et Travaux d'Amélioration ..	10,000	18,284	
--	--------	--------	--

Service du Canal de la Campine.

Entretien et Travaux d'Amélioration ..	50,100	8,000	
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Service du Canal d'Embranchement vers Turnhout.

Entretien et Travaux d'Amélioration ..	9,650	3,000	
--	-------	-------	--

Service de la Petite-Nèthe Canalisée.

Sixième annuité à payer à la Province d'Anvers ..	50,000		
Entretien et Travaux d'Amélioration	17,000		
	<hr/>	11,500	56,300

Service du Moervaert.

Entretien et travaux de dévasement ..	1,849	50,000	
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Ouvrages établis pour Améliorer le Régime des Eaux du Sud de Bruges.

Entretien et travaux de dévasement ..	9,000		
---------------------------------------	-------	--	--

Canal de Deynze à Schipdonck.

Entretien	4,000		
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Canal latéral à la Meuse, de Liège à Maestricht.

Travaux d'Entretien	30,000		
Plantations	25,000		
Frais d'Etudes	7,000		
Entretien des Bacs et Bateaux de Passage et de leurs Dépenses	20,000		
Subside à Allouer à la Direction du Polder de Lillo		2,000	

SECTION IV.—*Ports et Côtes.*

	<i>Francs.</i>	<i>Francs.</i>	<i>Francs.</i>
Entretien et Travaux d'Amélioration du Port d'Ostende	55,532	142,700	
Entretien et Travaux d'Amélioration du Port de Nieuport	18,000		
Travaux d'Entretien de la Côte de Blankenberghe	78,000	16,000	
Entretien des Phares et Fanaux ..	909	1,200	

SECTION V.—*Personnel des Ponts et Chaussées.*

Traitement des Ingénieurs et Conducteurs des Ponts et Chaussées, Frais de Bureau et de Déplacement ..	511,400	35,166	
Traitement et Indemnités du Personnel Subalterne des Ponts et Chaussées, et des Gardes-Ponts à Basculer, Pontonniers, Eclusiers, &c.	346,501	18,243	
Frais des Jurys d'Examen et Voyages des Elèves de l'Ecole du Génie Civil ..	12,090		
			5,504,183

CHAP. III.—*Mines.*

Personnel du Conseil des Mines :

Traitement	41,700
Frais de Route	600
Matériel	2,000

Subsides aux Caisses de Prévoyance, et Récompenses aux Personnes qui se distinguent par des actes de dévouement	45,000
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Impressions, Achats de Livres, de Cartes et d'Instruments, Publication de Documents Statistiques, Encouragements et Subventions, Essais et Expériences	7,000
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Traitement et Indemnités du Personnel du Corps des Mines	131,333	5,633
--	---------	-------

Jurys d'Examen et Voyages des Elèves de l'Ecole des Mines	6,000
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Commission des Procédés nouveau :

Frais de Route et de Séjour ..	600
Matériel, Achat de Réactifs, d'Appareils, &c.	1,400

Commission des Annales des Travaux Publics :

Frais de Route et de Séjour ..	1,100
Publication du Recueil, Frais de Bureau, &c.	3,900

246,267

CHAP. IV.—*Chemin de Fer.—Postes.—Télégraphes.*SECTION I.—*Chemins de Fer.**Personnel.*

Traitements, Indemnités	1,042,626	72,613
Primes aux Fonctionnaires et Employés des diverses branches de service ..	140,000	

Salaires.

	<i>Francs.</i>	<i>Francs.</i>	<i>Francs.</i>
Service Général. Direction	16,400		
Entretien, Surveillance et Police de la			
Route	1,120,000		
Locomotion et Entretien du Matériel ..	1,431,130		
Litt. A. Transports et Perception ..	615,600		
Litt. B. Primes pour Economie de Coke			
et Régularité des Convois ..	30,000		

Travaux et Fournitures

Imprimés, Papiers, Fournitures de Bureau,			
&c.	118,744		
Entretien et amélioration des Routes,			
Stations, Bâtiments et Dépendances	262,000	127,000	
Renouvellement des Billes et des Fers de			
la Voie	500,000	304,000	
Approvisionnements. Combustibles. Ob-			
jets de Consommation, Objets Néces-			
saires pour l'Entretien du Matériel,			
Redevances aux Compagnies, &c. ..	2,014,000		
Renouvellement du Matériel	100,000	200,000	
Camionnage, Pertes et Avaries, Loyers et			
Menues Dépenses	220,000		

SECTION II.—*Postes.*

Personnel	1,138,350	20,000	
Matériel	463,500		
Frais de construction et d'Entretien des			
Voitures destinées au Service des			
Postes sur le Chemin de Fer ..	20,000	20,000	

SECTION III.—*Télégraphes.*

Traitements et Salaires du Personnel ..	44,000		
Entretien	9,000		

SECTION IV.—*Régie.*

Personnel	36,500		
Matériel	3,500		

		10,068,963	
CHAP. V.—Pensions	7,000	..	7,000
CHAP. VI.—Secours à des Employés,			
Veuves ou Familles d'Employés qui			
n'ont pas de droit à la Pension ..	5,000	..	5,000
CHAP. VII.—Dépenses Imprévues non			
libellées au Budget	18,000	..	18,000

TOTAL du Budget du Ministère des Travaux Publics *Francs* 16,251,863

II. Des traitements ou indemnités ne peuvent être alloués aux fonctionnaires ressortissant au Département des Travaux Publics sur les crédits spéciaux alloués pour des travaux de reconstruction.

Les crédits qui figurent au Chapitre Ier (Administration Centrale) et au Chapitre IV (Chemin de Fer—Postes—Télégraphes), pourront être réunis et transférés de l'un des Articles sur l'autre, selon les besoins du service.

Promulguons la présente loi, ordonnons qu'elle soit revêtue du sceau de l'Etat et publiée par la voie du "Moniteur."

Donné à Bruxelles, le 30 Décembre, 1850.

Par le Roi:

LEOPOLD.

Le Ministre des Travaux Publics, EM. VAN HOOREBEKE.

LOI de la Belgique, qui fixe le Budget du Département de la Guerre, pour l'Exercice 1851.—Laeken, le 27 Février, 1851.

LEOPOLD, Roi des Belges, à tous présents et à venir, Salut.

Les Chambres ont adopté et nous sanctionnons ce qui suit:

ARTICLE UNIQUE. Le Budget du Ministère de la Guerre est fixé pour l'Exercice 1851, à la somme de 26,787,000 francs, conformément au tableaux ci-annexé.

TABLEAU du Budget du Ministère de la Guerre pour l'Exercice 1851.

CHAP. I.—*Administration Centrale.*

		Francs.	Francs.	Francs.
Traitement du Ministre	21,000			
Traitement des Employés Civils ..	140,000	5,850		
Supplément aux Officiers et Sous-Officiers Employés au Département de la Guerre	4,000	6,900		
Matériel	40,000			
Dépôt de la Guerre	16,000	10,000		
				242,850

CHAP. II.—*Etats-Major.*

Traitement de l'Etat-Major Général ..	673,000			
Traitement de l'Etat-Major des Provinces et des Places	269,804			
Traitement du Service de l'Intendance..	141,915			
				1,084,720

CHAP. III.—*Service de Santé et Administration des Hôpitaux.*

Traitement du Service de Santé et ad- ministration des Hôpitaux ..	320,174			
Nourriture et Habillement des Malades; Entretien des Hôpitaux	435,150			
Service Pharmaceutique	110,000			
				865,324

CHAP. IV.*—*Solde des Troupes.*

Traitement et Solde de l'Infanterie ..	9,510,000			
Traitement et Solde de la Cavalerie ..	3,069,400			
Traitement et Solde de l'Artillerie ..	2,624,000			
Traitement et Solde du Génie	721,000			
				, 15,925,300

* Les hommes momentanément en subsistance près d'un régiment d'une autre arme, compteront, pour toutes leurs allocations, au corps où ils se trouvent en subsistance.

CHAP. V.—*Ecole Militaire.*

	<i>Francs.</i>	<i>Francs.</i>	<i>Francs.</i>
Etat-Major; Corps Enseignant et Solde des Elèves	141,193		
Dépenses d'Administration	23,606		
	<hr/>	<hr/>	164,800

CHAP. VI.—*Etablissement et Matériel de l'Artillerie.*

Traitement du Personnel des Etablissements	37,203		
Matériel de l'Artillerie	440,370	58,427	
	<hr/>	<hr/>	536,000

CHAP. VII.—*Matériel du Génie.*

Matériel du Génie	750,000	200,000	950,000
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CHAP. VIII.—*Pain, Fourrages et autres Allocations.*

Pain	1,347,332		
Fourrages en nature	2,481,000		
Casernement des Hommes	581,800		
Renouvellement de la Buffleterie et du Harnachement	64,000		
Frais de Route et de Séjour des Officiers	85,000		
Transports Généraux	50,000		
Chauffage et Eclairage des Corps de Garde	56,000		
Remonte	312,970		
	<hr/>	<hr/>	4,978,102

CHAP. IX.—*Traitements Divers et Honoraires.*

Traitements Divers, et Honoraires ..	157,248		
Frais de Représentation	12,000		
	<hr/>	<hr/>	169,248

CHAP. X.—*Pensions et Secours.*

Pensions et Secours	59,500	4,170	63,670
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CHAP. XI.—*Dépenses Imprévues.*

Dépenses imprévues non libellées au Budget	14,985		14,985
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CHAP. XII.—*Gendarmerie.*

Traitement et Solde de la Gendarmerie..	1,792,000		1,792,000
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TOTAL général du Budget du Ministère de la Guerre .. *Francs* 26,787,000

Promulguons la présente loi, ordonnons qu'elle soit revêtue du sceau de l'Etat et publiée par la voie du "Moniteur."

Donné à Laeken, le 27 Février, 1851.

Par le Roi :

LEOPOLD.

*Le Ministre de l'Intérieur, chargé par intérim du
Département de la Guerre,*

CH. ROGIER.

*CORRESPONDENCE relative to Atrocities alleged to have been committed by the Neapolitan Army in Sicily.—1848.**

No. 1.—Lord Napier to Viscount Palmerston.—(Received February 2.)
(Extract.) *Naples, January 20, 1848.*

THE *Fair Rosamond* returned from Palermo this morning and placed me at last in possession of certain intelligence respecting the progress of the revolution in that city.

From the accompanying copies of a journal kept by Mr. Lyon and of a letter from Captain Key of Her Majesty's steam-frigate *Bulldog*, your Lordship will be enabled to form an accurate estimate of the force and attitude of the insurgent party.

In the apprehension that neither the Neapolitan Ministers nor perhaps His Sicilian Majesty himself have been made acquainted with the truth in this momentous question, I deemed it right to offer the perusal of Captain Key's letter to the President of the Council and Prince Scilla. I consequently had an Italian translation prepared with some slight modifications, and communicated it to Marquis Pietracatella, who read it with much interest, and assured me on his honour it contained particulars of which he had remained entirely ignorant, and which evidently led his Excellency to take a more serious view of the calamitous nature of this revolt than he had previously entertained.

While I was yet with the President his Excellency was called to the Palace, and I proceeded to visit Prince Scilla, to whom I read Captain Key's letter, and gave some additional information on the same subject. His Excellency readily undertook to convey my communication to His Sicilian Majesty, which I left in his Excellency's hands for that purpose.

Viscount Palmerston, G.C.B.

NAPIER.

(Inclosure 1.)—Mr. Lyon's Journal of his stay at Palermo.

JANUARY 14th, 8.30 P.M. Made sail from Naples in company with the ninth Neapolitan steamer of war bound to Palermo with troops.

15th. At sea.

16th. At daylight anchored alongside Her Majesty's ship *Bulldog* at Palermo; found the ninth Neapolitan war-steamer at anchor landing their troops. The English and others embarking on board the merchantmen. Went on board Her Majesty's ship *Bulldog* and heard from Captain Key that he had seen Prince Louis, who had said that he regretted the bombardment as unnecessary, and that he would order it to cease; no shells were fired all Sunday the

* Laid before Parliament, 1849.

16th, the troops holding only their barracks, the Castellamare, Finanze, and Palace, but not the gates of the town. At about 2 P.M. the fresh troops, 5,000 in number, were drawn up in column and moved forward to attack the people. Heavy guns being fired from the castle and down the Toledo from near the Palace; by 5 o'clock P.M. the troops were repulsed and all general fighting ceased. Landed at 3 P.M.; returned at 5.

17th, Monday. At 3 A.M. heavy musketry commenced, and constant fighting continued all the forenoon with advantage to the people. At 1.30 P.M. called with Captain Key on board senior Neapolitan officer's ship; inquired for the Prince Louis; were civilly but very coldly received; and told that Prince Louis was not on board. Saw senior captain, from whom Captain Key demanded that he should receive sufficient notice before the steamers should commence bombarding the town; this was promised, and we returned on board. At 2.30 P.M. the Castel del Mar recommenced throwing shells from 2 heavy mortars with considerable effect. 3.30 P.M. landed with Dr. Mott, and proceeding to the head-quarters (Santa Anna) of the insurgents in order to visit the hospital, curious to see the state of the defences; found the Place de Santa Anna full of armed men, flour escorted by insurgents, troops passing through the place, and everything conducted in a most orderly way; no ill-treatment visited on the prisoners, the captured spies even respected, which is not always the case among nations at war; the fury of the people upon the Prince's promise being broken through was so excited that on the bombardment recommencing, a spy taken on Monday evening on the recommencement of the bombardment was executed in my presence at Santa Anna, and 2 more taken disguised as Monks were sentenced to death by the people assembled, but I did not see them executed. Found the hospital of this quarter not to contain more than 30 or 40 wounded; hospital well attended, clean and well supplied; priest in attendance to minister to the dying. At sunset returned on board, and on Tuesday 18th at 10 A.M. landed again; the firing of musketry was heavy and general, and light guns fired down the streets. Proceeded to the Senate, which was sitting, and also the Committee of the War Department, and during my stay arrived a flag of truce from the Duke de Majo to explain that the convent near the Palace had been fired into because the monks (he stated) had fired on the troops, and he proposed to stop the effusion of blood by each party ceasing their fire; the statement of the Duke about the monks was denied, and he was told that until he sent proper terms to the British Consulate or on board the British steamer of war, no cessation of fire could be allowed; this reply seemed to bring on a general attack from the troops, as heavy guns, shells, and a general attack burst out from

the troops about the time that this reply had time to reach the Palace. About 4 P.M. the troops were retiring fast through the Villa Franca gardens, which are near their barracks, and by 5 o'clock were beaten down to the ends of the streets debouching on the sea-shore, and at dark were completely closed up in their barracks. Before embarking I visited again the hospital of Santa Anna and the prison of that quarter; I was told that they had 96 soldiers therein 2 days before; I found 202 soldiers, principally of the 1st Regiment, the rest were of the 11th Regiment of the Royal Guard, and 4 or 5 spies; all well treated and seemingly not very sorry for themselves, the spies excepted. The rich and poor, the noble and the peasant, have but one story to tell, namely, that death is better than the Government they have lived under, and that they are prepared to see every house in Palermo knocked about their heads before they will yield one atom or one inch; and I am sure that nothing but shelling can drive them out of the town, and even then they have a country well suited for guerilla warfare open to them, where no Neapolitan troops dare follow them. The troops seem to have displayed no bravery, and the people completely despise them. The people, on the other hand, fight well and indeed have neglected all those wise precautions of barricades properly formed. At 8 P.M. at the earnest request of Captain Key I sailed from Palermo with despatches for Naples.

(Inclosure 2.)—*Captain Key to Lord Napier.*

MY LORD, (Private). Bulldog, Palermo, January 18, 1848.

HER Majesty's Consul having permitted me to read his journal before I forward it to you, I think it my duty, or rather I trust it is not presuming if I take advantage of a few minutes to add in as concise a manner as possible what has occurred since the arrival of the Neapolitan squadron and troops (which at first appeared so materially to change the aspect of affairs), and also to state what is the present position of the contending parties.

Let me premise that the safety of the British residents is provided for.

The steam squadron with 5,000 troops arrived on the evening of the 15th and disembarked before daylight the next morning. On the 16th many Sicilian noblemen and gentlemen who were deeply compromised came on board the *Bulldog* for refuge. We also learned that many of the country people who had entered the town to join the populace had returned to the country with their arms. This gave me reason to expect that as it showed an evident loss of confidence in their strength, it would be followed by the speedy march of the troops to the relief of the Palace. On the afternoon of that day a detachment of troops who had been dispatched for that pur-

pose were beaten back by the populace. On the 17th this was repeated and followed by an attack on a part of the barracks, which they carried, and captured half a regiment, 200 or 300 men, marching them out with their band playing in advance.

The troops now appear paralyzed. All their positions are cut off from each other. The country people are re-entering the town, and the populace are so firmly established that I conceive nothing short of a general bombardment can dislodge them. The local Government have no authority to grant concessions; the leaders of the people feel sure that those under them will no longer listen to any reasonable terms. Should the town be bombarded it would be destroyed without reducing the strength of the people, as they have command of all the gates and can retire to the country with their arms.

From all this it cannot but appear that the ultimate success of the people is almost inevitable, which, in their present exasperated and uncontrollable condition, that would no doubt increase with each day's resistance and success, would, it must be feared, not only cause much bloodshed, but ruin their own cause by their excesses and unreasonable demands; the state of anarchy that would then exist must, I should think, render reconciliation impossible. This I conceive to be their present position, from which I cannot foresee that anything can rescue them but the interference of a third party sufficiently powerful to give both the Government and the people confidence in the guarantee that any terms agreed upon should be strictly complied with. I trust you will pardon me if I am presuming in thus expressing my opinion, but I am urged to it by the sight of so much bloodshed, both present and to come.

The whole of the British residents are embarked either on board the *Bulldog* or the British and American merchant-vessels, with the exception of the Consul and one or two families who wish to remain until the last moment.

The Prince sailed yesterday I know not where. I requested warning of the Neapolitan Commodore before he opened fire on the town. This morning he came on board to tell me they should open fire if they observed large masses of the populace collected, but he would send me word before he did so; this I must consider sufficient warning.

I have, &c.

Lord Napier.

A. COOPER KEY, *Commander*.

(Inclosure 3.)—*Documents issued by the Provisional Government at Palermo.*

1.—*Important Announcement.*

(Translation.)

Palermo, January 17, 1848.

THE brave Porcelli, Giacinto Carini, La Masa, Jacona, Bivona,

Oddo, Castiglia, to whose sagacious boldness we owe the acquisition of several cannons; Pasquale Bruno, who distinguished himself yesterday in the fight at Porta Macqueda, and the other heads of troops, have been victoriously engaged ever since the 12th. Let tears of gratitude be shed for them.

RUGGIERO SETTIMO,
President of the Fourth Committee.

2.—*Important Announcement.*

Palermo, January 17, 1848.

THE persons invited have, up to this time, generously contributed the undermentioned sums, as the first token of a patriotism which deserves the public gratitude as its sole recompense.

(List of Names.)

RUGGIERO SETTIMO,
President of the Fourth Committee.

3.—*Important Announcement.*

Palermo, January 17, 1848.

SALVADORE DI MICELI, of Monreale, son of the late Francesco, attacked and defeated the cavalry in Palermo on the 13th, he fought with the regiment in Monreale on the 14th, and compelled it to surrender about the 20th hour (*i. e.* about 2 p.m.); he gave quarter to all who surrendered, and caused the National Guard to be organised for public security.

He is now amongst us at the head of 100 courageous men, who will be followed by many hundreds within a few hours. Praise be to him and to the brave men who are fighting for their country.

RUGGIERO SETTIMO,
President of the Fourth Committee.

4.—*Important Announcement.*

Palermo, January 17, 1848.

THE bold Giuseppe Scordato, after having disarmed the regiment in Bagheria, his native place, and bringing with him to Palermo the vanquished troops with their arms laid aside, and 3 cannons which he was enabled to seize at a spot known to him, has been these 3 days in Palermo, where he has fought and conquered without intermission. After dinner yesterday the troop under his direction routed the regiment collected in the square of the Palace. Be the due praise of every one given to him and his followers, and may the public rejoicings increase.

RUGGIERO SETTIMO,
President of the Fourth Committee.

5.

Palermo, January 15, 1848.

ON the 12th day of January the people of Palermo were attacked by soldiers whom they had called brothers. At the first hostile acts some of the boldest citizens armed themselves, and the fight began. A Provisional Committee was immediately formed in the Piazza della Fiera Vecchia, composed of Messrs. G. Oddo, Bivona, Santoro, La Masa, Jacono, Porcelli, Corteggiani, Lo Cascio, Enea, Palizzolo, Amodei, Pasquale Meloro, Pasquale Bruno, the 3 brothers Ciancioli, Rosario Bagnasco, Leonardo Decarlo, Fratelli Carini, Vellaforita, the 2 brothers Ondes, Enrico Fardella, Antonio Faja, Rosolino Capace, who defended the city with heroic courage, and provided for the public security. By the evening of the 12th the soldiers repulsed by the people had left the city. From that day to this there has been dreadful fighting, the people of the country and villages in the neighbourhood hasten day after day to the defence of the city; the different skirmishes which have taken place up to yesterday shall be made known as soon as the various leaders of the armed people shall have communicated the details to the President of the Fourth Committee. From the present day every battle which takes place shall be made known to the public with all possible speed; the only facts yet known are that a few of the people are wounded, and a very few dead; that the soldiers have suffered very heavy losses, and that more than 200 prisoners have been taken by the people, who restore to them the appellation of brothers.

Ever since the 13th, the bombs, which are thrown in even by night, and the grape-shot against the unarmed people walking in Toledo-street, annoy the city cruelly. In this situation the Provisional Committee, accompanied by the people, proceeded to the dwellings of the most important citizens, inviting their concurrence in the general defence, to which all have heartily responded. The 4 committees mentioned by the public press were also established yesterday, and deliberations were commenced while the bombs were falling on the neighbouring buildings.

The Provisional Committee also has merged in the General Committee, and remains in the same place in order to meet any occasion in which prompt measures may be required.

The Fourth Committee having met, proceeded immediately to the election of the Advocate Vincenzo Errante as secretary, and of Count Manzoni as treasurer. The Committee of War was then called upon to make known the names of the leaders of the troops, and was also requested to direct them to communicate to the President of the Fourth Committee the details of every affair with the utmost speed.

The other Committees were invited to communicate any news of

great importance for the purpose of publication; the Committee of Finances was called upon to furnish the treasurer with funds for this purpose. It was then declared that the Committee should meet every day during urgency.

Of the other Committees, the President of that of Provisions then stated that the Prince of Scordia had engaged to speak to Signor Tasca, and that Tasca had voluntarily put all his corn at the disposal of the Prætor. That his Excellency the Prætor has at his disposal about 1,000 salms of corn, but he knows that there is a large quantity in the neighbourhood of Palermo.

It was resolved to select some convents as places best adapted for depositing flour; and the following were forthwith proposed:

Convento della Gancia.	S. Agostino.
S. Nicola Tolentino.	Carmine
S. Antonino.	Montesanto.
Casa Professa Dei Gesuiti.	S. Francesca.
S. Domenico.	Crocerifero Casa Professa.

It was also resolved that the parties belonging to the section should act as inspectors of the town.

II. The Fourth Committee then broke up at 3 o'clock, P.M.

Let this be made known to the city of Palermo and to all other towns in Sicily.

6.

Palermo, the 14th, 1848.

ART. I. The Provisional Committee, accompanied by the people, having assembled the municipality, it was resolved to form a Committee to manage all matters connected with provisions, under the presidency of the Prætor, to be composed of the Senators and Decurions present.

II. A Committee has been formed to provide means for finding and supplying ammunition, and for every other matter belonging to the maintenance of public safety; to be under the presidency of the Prince della Pantelleria, to be composed of the Duke di Gualtieri, Jacono, Riso, Bassano, Vergara, Calona, Gravina, Ramacca, La Masa, Porcelli, Pilo, Capace, Bivona, Villafiorita, and Castiglia.

III. A Committee has been formed to levy all moneys which are and shall be available, and to distribute the same in the best possible manner; to be under the presidency of the Marquis Rudini, and to be composed of Signors Stabile, Villa Riso, Anca, Sommatino, Santoro.

IV. A Committee has been formed for the purpose of obtaining all information of all the events which take place, and for the purpose of publishing the same correctly; to be under the presi-

dency of Marshal Settimo, and to be composed of the Dukes of Terranova, Calvi, Errante, Beltrani, Pisani, and Manzone.

V. The Provisional Committee is merged in the General Committees, and remains in the same position, in order to meet any case in which prompt measures may be requisite; to be composed of Messrs. Bivona, Santoro, La Masa, Jacono, Porcelli, Corteggiani, Lo Cascio, Enea, Palizzolo.

(Signatures follow.)

Let this be made known to the city of Palermo and to all the towns of Sicily.

No. 2.—Lord Napier to Viscount Palmerston.—(Rec. February 2.)

MY LORD,

Naples, January 20, 1848.

I HAVE the honour to submit to your Lordship herewith extract of a journal kept by Her Britannic Majesty's Consul at Palermo on the 13th and 14th instant, by which it appears, that on those days the citadel of Palermo fired upon the town with round shot and shell, without such warning having been given to Her Majesty's Consul and the representatives of other nations as is customary in such cases and necessary for the preservation of the lives and properties of foreign subjects.

In consequence of this intelligence, I have addressed to the Neapolitan Minister for Foreign Affairs the accompanying note, protesting against the bombardment of Palermo, and holding the Neapolitan Government responsible for indemnification to Her Majesty's subjects for all loss or prejudice they may have endured thereby.

I have, &c.

Viscount Palmerston, G.C.B.

NAPIER.

(Inclosure 1.)—Extract of a Journal kept by Her Majesty's Consul at Palermo.

IN the night of Sunday and Monday, the 9th and 10th January, the Duca di Villarosa, Z. Amari, Z. Andes, Ferrara Pizzuto, Fiorenza, Caminneci, and L. Sessa, were arrested and carried to the Castellamare. In the course of the day handbills were distributed announcing the insurrection of the 12th.

On Tuesday 11th nothing particular occurred.

On Wednesday 12th, at daybreak, 200 armed men marched from Porta di Greci on the Marina to Fiera Vecchia, seized Porta di Termini, attacked the gendarmes, stopped the procaccio (public carriage from Catania, took 10,000 ducats and placed them in the Benedictine convent, their head-quarters. Her Majesty's steamer *Bulldog* arrived in afternoon, and shortly afterwards *Vesuvio*, the latter ordered off next morning.

Thursday, 13th January. Bells of all churches rang at day-break: troops and populace engaged in Piano Marina for 4 hours, with small loss, against the Finanze, which were not taken. Quarter of the Marina barricaded with boats, Toledo with benches and tables, pavement taken up. Musket shots incessantly all forenoon; cannon shots and bombs from Castellamare directed against Piano Marina all afternoon. People master of gates on Marina, except Porta Felice and Stradone, Reale Termini and St. Antonio. Town quiet from sunset till 10 o'clock. Firing renewed till midnight. Quiet again until 3 A.M. Hail, rain, and snow all night.

Friday, 14th January. At 3 A.M. bombs from Castellamare against populace in front of Finanze. In the forenoon ceased; renewed at half-past 1 P.M. At 4 P.M. a bomb having fallen into Murdoch's house, Franck's family and Thompson's, 8 in all, took refuge in Consulate. Night passed over quietly.

(Inclosure 2.)—*Lord Napier to Prince Scilla.*

Naples, January 20, 1848.

THE Undersigned, &c., has the honour to state to his Excellency Prince Scilla, &c., that he has obtained intelligence from Her Britannic Majesty's Consul at Palermo, that on the 13th and 14th instant, in consequence of certain popular commotions in that city, a fire of shells was opened from the castle upon the same, and has been continued with various intervals since, and that this bombardment was not preceded by such warning and notification on the part of the civil and military authorities to Her Britannic Majesty's Consul, as is customary in such cases, and is necessary for the preservation of the lives and properties of foreign subjects.

The Undersigned consequently protests against the said bombardment, and holds the Neapolitan Government responsible for whatever loss or prejudice in person or property Her Britannic Majesty's subjects may have endured thereby, and reserves to Her Britannic Majesty's Government a full right to claim such indemnification as they may deem just and necessary to repair the same.

The Undersigned, &c.

Prince Scilla.

NAPIER.

No. 3.—Lord Napier to Viscount Palmerston.—(Rec. February 13.)

MY LORD,

Naples, January 26, 1848.

I HAVE the honour to submit to your Lordship herewith copy of 2 despatches from Her Majesty's Consul at Palermo, the former of which contains a protest against the bombardment of the city, signed by Mr. Goodwin in common with all his colleagues except the Austrian Consul.

The accompanying plan of the city of Palermo may assist your Lordship in following the detail of the military operations.

I have, &c.

Viscount Palmerston, G.C.B.

NAPIER.

(*Inclosure 1.*)—*Consul Goodwin to Lord Napier.*

MY LORD,

Palermo, January 21, 1848.

IN my last I described to your Lordship the military operations from the 12th to the 20th instant; I now do myself the honour to relate the civil proceedings during the same eventful period.

On the 14th instant, the municipality of Palermo having joined the Provisional Committee of Public Safety, the united body was divided into 4 sections, called the Committees of Supply, War, Revenue, and Correspondence, the presidents of which were the Prætor (Lord Mayor) of the city (the Marchese Spedalotto), the Prince of Pantelleria, the Marchese Rudini, and Marshal Settimo, respectively. These sections, composed of noblemen of high rank, advocates of eminence, merchants of capital, and authors of reputation, tended to conciliate public favour in behalf of the new Government, which established its residence in the Casa Pretoria of the city and in the heart of the town.

The first step of the Committee of Revenue to raise a fund for the public service was fully successful.

Contributions poured in rapidly and largely from all ranks of society. The nobility, the clergy, regular and secular, the monastic orders, male and female, the learned professions, the landed interest, the mercantile community, and the wholesale and retail dealers, vied with each other in making their patriotic offerings. The contributions, amounting already to 2,500*l.*, go on increasing daily.

A long correspondence has lately taken place between the Lord Lieutenant and the Prætor, of which the following is the substance.

The Lord Lieutenant having as a private individual invited the Prætor to call upon him and receive proposals for an armistice, the Prætor answered in his public capacity, that the continued bombardment of the city, the burning of the Monte di Pietà, the firing on the Prætor himself and on the foreign Consuls on their way to or from the royal palace under a flag of truce, and the murder of defenceless monks in their peaceful convents, left him no other resource than to refer his Excellency to the General Committee, by whom his proposals would be taken into due consideration.

The Lord Lieutenant in reply excused the violation of a flag of truce on the ground of military misconception, justified the slaughter of the monks on the principle of self-defence, renewed his request

for a private conference, and promised not to fire a shot unless fired on himself.

The Prætor in rejoinder declared himself incompetent as Prætor to receive proposals of peace, and again referred his Excellency to the General Committee, adding that if a neutral ground were wanted, that requisite might be found on board Her Majesty's steamer *Bulldog*.

The Lord Lieutenant in continuation declined entering into correspondence with an authority not legally constituted, and proposed that a deputation should be sent in a royal steamer to Naples to lay the state of Sicily before the King.

To this proposal no answer was given. The correspondence having been renewed by the Lord Lieutenant, his Excellency in his public character invited the Prætor to make known to him the wishes of the Sicilian people, for the information of the King.

To this invitation the Prætor replied by stating that the Sicilian people would never lay down their arms until Sicily, represented in a General Parliament at Palermo, adapted her Constitution of 1812 to the present time.

To this declaration the Lord Lieutenant replied that he would send over to Naples to learn the King's pleasure in the matter. Here the correspondence ends.

On Saturday, the 15th instant, M. Ernest Bresson, the French Consul, accompanied by his colleagues, called on the Lord Lieutenant to request that the bombardment might be suspended, so as to give time for foreigners to embark with their families and effects. The mission was so far successful that 24 hours was granted, during which most of the English and Americans went on board their respective ships, where they still remain awaiting the result of pending hostilities.

The bombardment having been renewed on Monday the 17th, and extended to all parts of the city, a protest drawn up by M. Bresson was signed on the 19th instant by all the Foreign Consuls, and delivered to General Desaget, of which the following is the substance :

The Consular Body, struck with the unanimity and resolution of the Palermitans, are of opinion that to prevent such disasters and catastrophes as form a stain and an epoch in history, it is needful that a city of nearly 200,000 inhabitants be spared in every case the horrors of a bombardment. Should the Commander of the Royal forces unhappily proceed to that extremity, the Undersigned protest beforehand, in the name of their several Governments, against an act calculated to excite the eternal execration of the civilized world. They especially protest, under all reservations, against the total absence of forms and notices, which had compelled them at the risk

of their lives to have recourse to the supreme authority to put a stop to a bombardment, by which several foreigners had already lost their lives and their property. I have, &c.

(Signatures follow.)

Lord Napier.

JNO. GOODWIN.

(Inclosure 2.)—Protest of the Consular Body against the Bombardment of Palermo.

LE Corps Consulaire, qui se rendit dans la journée du 15 auprès de son Excellence le Lieutenant-Général, pour solliciter en faveur des étrangers une suspension du bombardement, et qui fut assez heureux pour l'obtenir pendant 24 heures, frappé de l'immense unanimité, de l'exaltation prodigieuse des sentiments de la population Palermitaine, croit avoir à remplir un devoir plus sacré encore. Les Soussignés pensent que pour faire cesser et prévenir d'incalculables désastres, pour empêcher une de ces grandes catastrophes qui font tâche et époque dans l'histoire d'un siècle, il faut que les horreurs d'un bombardement soient épargnées dans tous les cas à une population de 200,000 âmes, à l'antique et vaste cité de Palerme.

Si cependant, ce qu'à Dieu ne plaise, le Commandant-en-chef des Forces Royales devait en venir à cette extrémité déplorable, les Soussignés protestent d'avance et de toutes leurs forces, aux noms de leurs Gouvernements, contre un acte fait pour exciter à jamais l'exécration du monde civilisé.

Ils protestent déjà avec toute l'énergie possible, et sous toutes réserves, contre cette absence totale de formes d'avertissements, de délai, qui a eu lieu à leur égard, avant qu'au péril de leurs jours ils pussent pénétrer jusqu'à l'autorité supérieure pour arrêter le bombardement commencé, dont plusieurs étrangers ont été victimes dans leurs personnes et leurs propriétés.

Fait à Palerme, le 19 Janvier, 1848, en l'Hôtel Consulaire de France, Porta Macqueda.

Le Consul de Sa Majesté Britannique, JOHN GOODWIN.

The Consul-General of the United

States of America, JOHN M. MARSTON.

Le Consul de France, ERNEST BRESSON.

Il Console de S. M. Sarda, ANTONIO MUSSO.

Le Consul de S. M. le Roi de Prusse, F. WEDEKIND.

Le Consul de S. M. le Roi de Hanovre, C. WEDEKIND.

Le Consul de Russie, GAETANO FIAMMINGO.

L'Agent de la Confédération Suisse, F. C. HIRZEL.

Le Vice-Consul du Brésil, F. RUOSCH.

(Inclosure 3.)—*Consul Goodwin to Lord Napier.*

MY LORD,

Palermo, January 24, 1848.

I HAVE the honour to report to your Lordship the civil and military proceedings of this place from the 20th to the 23rd instant.

In the afternoon of the 21st, indecisive skirmishes took place between the insurgents and the troops in and about the Largo del Palazzo and outside the Porta Nuova, which lasted till night-fall, when the combatants separated.

In the evening of the 22nd a sharp but fruitless attack was made on the Finanze. In the night of the 22nd and 23rd a provision waggon was captured by the insurgents on its way from the castle to the palace, when some prisoners were made by the captors. In the morning of the 23rd the infantry barracks of the Noviziato, about half a mile north of the palace and behind the Villa Papireto, were carried by the insurgents, who made many prisoners and sustained but little loss. In the course of the day a party of gendarmes which had proceeded from the Finanze to the Porta Felice, was driven back with loss.

The troops now hold the barracks at the Mole, the castle, the Finanze, and the palace. Between the Mole and the castle the troops communicate by water only; the castle, the Finanze, and the palace communicate by flag or bugle. Their land communication is cut off altogether, the insurgents being masters of the Piana del Ciardone between the Mole and St. Lucia, of the small plain outside of Porta Macqueda, between the castle and the Palace, and of the Toledo between the Finanze and the palace. Their line extends from Porta Ossuna to the Capucinelli, thence to the Great Hospital, thence to Porta Castro, and thence (with a branch to the Quartiere della Vittoria and the Quartiere de Borgognoni, or cavalry barracks) back to Porta Ossuna. Their position takes in the Palace, the Papireto, the Quartiere San Giacomo and the cathedral, and the streets between the Largo del Palazzo and the Capucinelli. Beyond this they have not an inch of ground.

The Guards, their best troops, have bivouacked in the Largo del Palazzo ever since the 10th, exposed to the inclemency of the weather and the attacks of the insurgents without intermission. The infantry are lodged in the San Giacomo, and the artillery partly in the San Giacomo and partly in the palace; the cavalry are in the Vittoria and Borgognoni with the exception of a squadron in the barrack of St. Teresa, close by the palace.

The reinforcements are still down at the Mole, a few excepted, who have got into the castle by water, whence they have been unable to advance to the palace. The loss of the Porta Carini, consequent on that of the Noviziato, will oblige such troops as shall have forced their way through the Piano of Porta Macqueda to go

round by the bastion of the Monistero Immacolata to get in at Porta Ossuna.

The daily expenses of the Committee of Public Safety are about 1,000oz., to meet which outlay they have the revenue of the city and the voluntary subscriptions. The latter come in fairly. The military hospitals are well organized; native and foreign surgeons attend gratuitously, and ladies of the highest ranks, as the Princess of Scordia and the Duchesses of Monteleone and Gualtieri, visit the sick and wounded.

The Prætor has told the Lord Lieutenant that the offered concessions are insufficient to satisfy the people, and has repeated his demand for the restoration of the Sicilian Constitution of 1812.

I have, &c.

Lord Napier.

JOHN GOODWIN.

No. 4.—*Lord Napier to Viscount Palmerston.*—(Rec. February 7.)
MY LORD, *Naples, January 28, 1848.*

HER Majesty's steam-frigate *Gladiator* arrived here from Palermo yesterday afternoon, and Captain Robb has placed in my hands the accompanying letter containing an account of the latest events in the revolted city.

Your Lordship will thus be made acquainted with the capture of the Palace and the Finanze, which includes the public offices as well as the Treasury, and the probable surrender of the castle, which was expected to occur on the following day.

The constitutional party have thus, it may be stated, obtained a complete ascendancy at the Sicilian capital. Trapani, Termini, and the towns of the interior, have already openly joined the same cause; and the revolution of Messina and Catania was confidently predicted on the day before yesterday (January 26th).

Two Neapolitan steam-vessels entered the port of Naples at the same time as the *Gladiator*, bringing about 150 wounded soldiers. They were immediately visited by His Sicilian Majesty in person.

The intentions of the Neapolitan Government still remain mysterious.

I have, &c.

Viscount Palmerston, G.C.B.

NAPIER.

(Inclosure.)—*Captain Robb to Lord Napier.*

MY LORD, *Gladiator, Naples, January 27, 1848.*

SINCE the date of my last letter, much of importance has taken place at Palermo. Shortly after the departure of the *Maria Christina*, the insurgents opened an increasing fire on the palace, apparently determined that it should surrender, and as the troops had retreated from Porta Ossuna on the previous day, they had the

whole of the outer part of the town in their power. A very severe action took place between them in the Palace-square, and the point of attack was to obtain possession of the General Hospital and Archbishop's palace, which surrendered about 7 o'clock; the attack was then renewed with increased vigour on the palace. Seven large pieces of artillery were brought to bear on it, and were unceasingly worked until about midnight. At about 5 in the afternoon, the castle and some of the steam-vessels began to shell the town without giving any notice, and this was continued at intervals during the night of the 25th; about 2 o'clock the firing ceased, and at daylight on the morning of the 26th the tricolour was seen flying on the observatory of the palace, and it was made known that the Luogotenente, General Vial, with a small body of troops escaped by a back way from the palace by the Olivuzza road, and retreated to the barracks at the Mole, suffering a loss of 40 or 50 men.

At daylight, or shortly after, the troops in the palace under Major Ascenzo, surrendered to the insurgents, and were received with caresses. Much damage was of course sustained in the palace. All the chandeliers, glasses, marble tables, and furniture were destroyed, but the chapel and paintings were preserved. In the afternoon the guns were brought to bear on the Finanze, but at 5 o'clock it surrendered without firing a shot. The troops and police marched out and were received with the utmost kindness by the insurgents, who received them as brothers; but I regret to have to state that there was about 30 or 40 *sbirri* also in the Finanze, whom the people immediately seized, and would have instantly sacrificed them to their vengeance, but for the interference of some influential priests or people among them; about 8 or 10, however, were shot or killed on the spot. As soon as the bank surrendered, the cannon were placed in positions to bear on the castle, with a summons to surrender. Colonel Gross, who commands the castle, requested 24 hours to consider. The people gave him 12 hours or until daylight this morning, when it was expected that he would surrender on condition that the garrison would be allowed to march with their arms to the barracks on the Mole, where they may be permitted to embark or remain as the Marshal might order, but not to fight against the Sicilians.

The arrival of the *Vengeance* in the evening relieved me from the duty of remaining at Palermo, and I left it at 10 o'clock last night.

Everything was quiet, not a musket or gun was heard, and the silence formed a striking contrast with the cannonade of the previous day.

I gave Captain Lushington, of the *Vengeance*, a detail of all that

had taken place, and he has the *Bulldog* at liberty to forward any despatch to the Admiral or your Lordship.

There is nothing to fear on the part of the people towards the English; every kind of property has been scrupulously respected, and no instance of cruelty, robbery, or outrage has come to my knowledge, except the disgraceful massacre of the unfortunate sbirri.

I have, &c.

Lord Napier.

J. ROBB.

No. 5.—*The Secretary to the Admiralty to the Right Hon. E. J. Stanley.*
SIR, *Admiralty, February 15, 1848.*

I AM commanded by my Lords Commissioners of the Admiralty to send you herewith, for the information of Viscount Palmerston, a copy of a letter from Vice-Admiral Sir W. Parker, dated the 28th ultimo, transmitting a despatch from Commander Key of the *Bulldog*, detailing his proceedings at Palermo. I am, &c.

The Right Hon. E. J. Stanley.

H. G. WARD.

(Inclosure 1.)—*Vice-Admiral Sir W. Parker to the Secretary to the Admiralty.*

SIR, *Hibernia, at Malta, January 28, 1848.*

HAVING just learnt that a French steamer starts immediately for Marseilles, I have only time to inclose, for the information of the Lords Commissioners of the Admiralty, the copy of a despatch which I yesterday received from Commander Key of the *Bulldog*, detailing his proceedings at Palermo.

I have been informed of the arrival of the *Gladiator* at Palermo, but the *Vengeance* on the 22nd instant was off Stromboli with adverse winds.

I have, &c.

The Secretary to the Admiralty.

W. PARKER.

(Inclosure 2.)—*Commander Key to Vice-Admiral Sir W. Parker.*

SIR, *Bulldog, Palermo, January 18, 1848.*

ALL communication by land with Messina being cut off, and the steam-packet from Naples having ceased to run, I take advantage of the *Fair Rosamond* (Royal Yacht Squadron, Captain Lyon,) to send this to Naples, from there to Malta.

As I have but a short time, I can do no more than endeavour in a few words to give you an outline of my proceedings since my departure from the squadron on January the 10th, reserving the details for the next opportunity.

The *Bulldog* arrived at Palermo soon after noon on January 12th, the King's birthday. A few minutes after the ship was anchored, a boat was pulled alongside, with a Silician, in a state of great excitement, who I learnt had that morning been a leader of a

partial rise of the populace against the Government. He had been disappointed of the arrival of confederates from the country, and therefore had been overpowered and barely escaped with his life into a boat. I received him on board. On proceeding on shore and communicating with Her Majesty's Consul, I learnt that this insurrection had been published by printed bills as to take place on the 12th : being put down so soon he considered it over.

On the night of the 12th, a large body of armed people came in from the country, and on the evening of the 13th made themselves masters of the police-office, public conveyance office, the Porta Termine, and then proceeded to attack the bank ; there they were repulsed. Then they barricaded the main streets, the troops firing cannon down the Toledo or principal street.

I then (the forenoon of the 13th) sent round to the British merchants and residents to meet me for a conference. I found considerable alarm prevailed amongst them, not against either party but in case large bodies of armed people should come from the country, they being not under the control of the leaders of the movement, and the town being in the hands of the populace, would probably resort to their too common custom of pillage. I then took the following measures for their safety.

I offered to take the valuables, money, and jewels of any of them on board at once. I offered the *Bulldog* and the British merchant-vessels as an asylum, should any wish to embark with their families, establishing a signal at the Consulate for them in order that they might call our boats on shore when they wished to embark. I then looked for any position that might be easily defended by a small body of men, to serve as a rendezvous should the British residents be seized with a sudden panic ; this I found might be done in the lot of houses inhabited by the Consul, the Earl of Mount Edgumbe, and several British subjects. I therefore sent Lieutenant Swinburne with 16 men for that purpose. This house is close to the sea, at the back is a terrace, the gate of which opened close to the landing-place ; of this gate I secured the only key, intending it not only as a means of egress for the people embarking, but also as a sure passage to communicate with my own men. I established signals with Lieutenant Swinburne by night and day. On the 14th the Castellamare commenced to throw shells into the town. I immediately went to the palace to remonstrate for not having given warning ; they only promised to spare the English quarter.

During the night of the 14th and morning of the 15th the shelling continued at intervals, exasperating the inhabitants, killing the helpless, destroying the houses, and endangering the foreigners, without any other result. At noon on the 15th I again went to the Palace to represent this, and to demand a notice before the town

was bombarded; the notice they gave me was that the bombardment "shall be discontinued, and shall not be again repeated until the people advance in masses to attack; then they will be the object for the attack, not the town." With this I was forced to be satisfied.

On my return through the town, a walk of a mile, I found the feeling of the people greatly changed towards me; instead of the enthusiasm and *vivas* with which I had been both times greeted on my way to the palace, I saw discontent and disappointment; they stopped me and demanded what the English were going to do for them. I told their leaders that I had no authority to interfere with either party; there was then a general murmur of "the English have deceived us;" they allowed me, however, to return to the Consulate; the leaders came there and said that until now they had promised and had sufficient influence to protect the foreigners, but now they could promise no longer, and if the English quarter was spared the people would take possession of the British residents and keep them as hostages while the town was being shelled.

At about 3 P.M., on the 15th, the people having made a general attack on the bank, the shelling recommenced, and as a proof that the alarm of the British at this time was not without foundation, a man was killed in Lord Mount Edgecumbe's house while I was there, and another shell passed through the room in which were 2 English ladies. Mr. Fane, a British merchant, had 2 shells fall and burst in his house, and I could quote several other cases of the same kind.

At 4 P.M. I called a meeting of the merchants. I found them all agreed with me in the propriety of embarking. I instantly sent round to the American and English merchant-vessels to prepare to receive any one I sent to them and to send their boats at 6; this they did most readily.

I sent to all the British subjects (whose names I obtained from the Consul) to be at the landing-place between 6 and 9 P.M.; before 8, in spite of rain and wind, all the British subjects were embarked, excepting the Consul and one or two who wished to remain till the latest possible moment. At the same hour a squadron of Neapolitan steamers arrived with 5,000 troops. On the morning of the 16th I called on Prince Louis, the Commodore of the squadron, to ask his intentions. He trusted that there would be no occasion to bombard the town, but that when the troops had landed they intended to march straight to the relief of the Royal Palace, which was now cut off from all communication with any other part of the town.

I have, &c.

Vice-Admiral Sir W. Parker.

A. C. KEY.

No. 6.—*The Secretary to the Admiralty to the Right Hon. E. J. Stanley.*

SIR, *Admiralty, February 15, 1848.*

I AM commanded by my Lords Commissioners of the Admiralty to send you herewith for the information of Viscount Palmerston, a copy of a letter from Captain Robb of the *Gladiator*, addressed to Vice-Admiral Sir W. Parker, and dated the 25th ultimo, relative to the state of affairs in Sicily.

I am, &c.

The Right Hon. E. J. Stanley.

H. G. WARD.

[(*Inclosure.*)—*Captain Robb to Vice-Admiral Sir W. Parker.*

SIR, *Gladiator, Palermo, January 25, 1848.*

I HAVE the honour to acquaint you that I arrived at Messina in Her Majesty's steam-ship under my command on the 19th January, and found Her Majesty's ship *Thetis* in the Mole, and the reported firing at that place to be unfounded.

In compliance with orders from Captain Codrington, I sailed at 3 o'clock on the following morning and arrived here on the same evening, where I found Her Majesty's steam-ship *Bulldog*, and immediately communicated with Commander Key and the Consul here; I found all the British residents had taken refuge on board of the *Bulldog* and the merchant-vessels in the Mole; that the town had revolted on the 12th and was in possession of the insurgents, who were keeping up a constant firing during day and night, and that the troops of the Government were in possession of the Castellamare, the barracks near the Mole, the Finanze, and the Royal Palace, which last they were at that time attacking; every communication had been cut off from it and the troops had been defeated in an attempt to relieve it. There were 10 Neapolitan steam-vessels in the bay, which had landed a reinforcement of 5,000 men from Naples, but they have never been able to leave their barracks, except by water, when a few have been conveyed to the castle. The principal streets, Toledo and Macqueda, are deserted, cannon are placed at the end of these charging the whole streets; all the shops are shut, business is at a stand-still except in some of the small bye-streets, but people who are not engaged in military operations are quiet and well conducted.

The people had made several attacks on the Finanze but have been beaten back, and this caused the Commandant of the castle to bombard the town on 2 successive days, when it was put an end to by a protest from the foreign Consuls. Several partial successes have been obtained by the insurgents, who have defeated and prevented a junction between the troops in the castle or barracks and those who are now defending the Royal Palace, but they have

not taken any point of great force or of much importance. The country round has sent in several thousands of men on the side of the people, and it is said they amount to 12,000 or 15,000 armed men in all, whilst the troops (without including the 5,000 sent from Naples) amount to 6,000, who are now kept in the barracks, the castle, the Finanze, and Royal Palace. I send you an abstract of the proceedings of both parties as nearly as I have been able to obtain the information.

On the 12th instant a partial rise took place, which was put down; but on the night of the 12th and on the morning of the 13th large bodies of armed men came in from the country, attacked and took the police stations and several public offices, but failed in their attack upon the bank; the streets were barricaded and cannon placed so as to command them, and a fire was kept up along the Strada Toledo and Macqueda. On the 13th, British residents became alarmed lest the immense bodies of armed men who were hourly arriving from the country might commit violence, and measures were taken for their embarkation in the *Bulldog* and merchant vessels lying in the Mole. On the 14th the castle began to shell the town, but on the remonstrance of Commander Key they promised to spare the English quarter. On the 15th, the shelling was continued, but on the protest of the foreign Consuls being made at the Palace, the shelling was discontinued, and is not again to be repeated unless the people advance in masses to attack the Finanze.

This attack, however, took place on the afternoon of the 16th, and the shelling recommenced. Several shells had fallen in the houses of British residents, killing a Swiss servant in one of their houses, and they were induced to embark on board the *Bulldog* and merchant-vessels that night, where they now remain. A squadron of Neapolitan steam-vessels arrived on that day with about 5,000 troops, and were landed at the barracks with the intention of marching directly to the relief of the Palace, but they were driven back by the people. On the 3 following days constant firing was kept up day and night; several attacks had been made on the palace by the people, but all failed; they had, however, cut off the supplies and the water-pipes, and every day adds to the number and confidence of the insurgents. On the night of the 22nd another attempt was made to take possession of the bank by the populace, but they failed; the castle fired both shot and shell upon them during the attack. On the same night, or morning of the 23rd, a party of soldiers sent with provisions for the relief of the castle, was attacked by the insurgents on the road to Olivuzza, and the provisions captured with several prisoners.

The infantry barrack of the Noviciate near the palace was also attacked and taken, whilst the attacks on the palace still continued

to be made by the insurgents, and as all supplies are cut off, it is supposed that it can hold out but for a short time longer. From these partial successes and the apparent apathy of the troops, the insurgents are becoming bolder daily, and their force increasing. Subscriptions are being made among the people to defray the expenses which amount to about 1,000 ounces daily, and most of the Sicilian nobility have joined them. No case of cruelty or outrage has come to my knowledge except the death of some policemen, who were shot in consequence of some skeletons said to have been found in one of the dungeons of the police station. I have received a letter from the General commanding the King's troops requesting my interference; but I replied that I could do so in no way, but that I would be the means of communicating between the parties and consider this ship as a neutral ground on which they might meet to settle any terms that might put an end to the further effusion of Sicilian blood. A deputation also from the Committee of Public Safety came on board yesterday, and said, that "Should the Marshal wish to treat with the Committee in the present state of affairs, the first thing that he must do is, to cause all the posts held by the military to be abandoned as the sole basis of any accommodation; for the rest they refer him to their reply of the 22nd of January, which I inclose in the printed paper. I forward to Lord Napier an account of all that is now passing here, and I send a copy of this to the Admiralty, as from the uncertain state of the communication here I cannot feel certain at what time this may reach you.

The arrival yesterday of a merchant steam-vessel chartered by Lord Napier to send a messenger here with despatches will take this to Naples on her return to-day, when as soon as the *Vengeance* arrives I shall proceed in compliance with my orders. I inclose the gazettes of the insurgents and their proclamation. Everything is tranquil here to-day, and the firing for the first time has nearly ceased; no blockade of Palermo has been yet proclaimed, nor has anything been done to establish a Sanità by the Committee of Public Safety yet. There are 7 Neapolitan steam-vessels here, but with the exception of 1 shot fired during the attack on the Finanze on the night of the 22nd instant, they have done nothing.

Although a great deal of firing has taken place, I believe that the killed and wounded on the part of the people up to this day does not exceed 100, and the number of soldiers taken by them 600 or 700. An answer is expected daily from the King of Naples to the wishes of the Sicilians which had been forwarded to him by the Luogotenente, but the insurgents declare they will accept of no terms but the Constitution of 1812, of which they had been unjustly deprived. I have forwarded to Lords Napier and Minto a petition from the Committee, praying for the mediation of Great Britain.

I shall make you acquainted on any opportunity with what is passing here until the *Venegance* arrives.

I have, &c.

Vice-Admiral Sir W. Parker.

JN. ROBB.

No. 7.—Lord Napier to Viscount Palmerston.—(Rec. February 17.)

MY LORD,

Naples, February 7, 1848.

I HAVE the honour to submit to your Lordship the accompanying copy of a report addressed by Captain Codrington of Her Majesty's ship *Thetis*, to Vice-Admiral Sir William Parker, containing details of the bombardment of Messina from the castle, forts, and a steam-vessel of war on the 29th ultimo, the day on which a representative constitution was proclaimed at Naples.

I have also the honour to inclose a despatch, under date of January 31st, from Her Majesty's Consul, transmitting a disavowal on the part of General Cardamone, of the unauthorised measures as he asserts embraced by his subordinate officers. It appears, however, that General Cardamone might easily have arrested the fire by sending orders to that effect, which he omitted to do.

I have this morning received private letters from Captain Codrington, informing me that the fire from the citadel has been renewed on several occasions since the beginning of the month, and that he was engaged in concert with the Commander of the French steam-vessel of war *Vauban*, in endeavouring to avert an impending conflict which would probably attend the introduction of provisions into Fort Real Basso by the royal forces.

The bombardment of Messina has had the effect of thwarting a favourite design of the Neapolitan Government, namely, to gain over that city by transferring to it the dignity and privileges attached to Palermo, and thus to create disunion in the Sicilian ranks. By the late barbarous and coercive acts the Messinese have been stimulated to join their allies at the capital so heartily that a perfect sympathy reigns between them, and the superior authority of the Provisional Government at Palermo seems to be freely recognized by the whole island.

I have, &c.

Viscount Palmerston, G.C.B.

NAPIER.

(Inclosure 1.)—Captain Codrington to Vice-Admiral Sir W. Parker.

SIR,

Thetis, Messina, January 30, 1848.

I REGRET to have to inform you that a revolt broke out in this place yesterday forenoon, and that in the afternoon the town was bombarded with shot and shell from all the forts and from the Neapolitan steamer *Carlo III*, for an hour and a half, the firing only ceasing after dark.

Two days previously I had written to the General protesting strongly against such a line of conduct, and had not only received his personal assurances that he would not bombard the town, but he had in his written answer pledged his word of honour that he would only repel force by force, that he would not bombard the town, and that previous to firing he would give foreigners very sufficient warning. Captain Engle, of The United States' ship *Princeton*, and myself, both received these assurances on his part. I inclose copies of these documents, by which you will see that nothing could have been more satisfactory in appearance.

After some communication on the previous day between the two sides the insurrection broke out yesterday shortly before noon, by a descent into the town of insurgent bands of men from the country armed with pikes, daggers, and fowling-pieces. The first firing, commenced it is said by mutual mistake, took place at the fort called, I think, "Real Basso," a small outlying fort standing on the beach at the extreme north end of the town, and with houses close to it. A few lives were lost on each side, but the irregular musketry of the insurgents had evidently no chance of making an impression on this the weakest part of the military position, though much too strong for the efforts of the assailants. A pause of some duration ensued, during which negotiations were going on between the General on one side and the heads of the people on the other, both I think desirous of avoiding extreme measures. The result was the unopposed and peaceable withdrawal of the troops from all the isolated parts of the town into the arsenal and outworks of the Terra Nova, which form a sort of advanced post of the ground in front of the citadel. All remained quite quiet until about 3 or 4 o'clock, P.M., when firing commenced outside the advanced position of the troops, the commencement of which both parties attributed to each other and to bad faith. I must remark that the point of action at this time was only at the extreme southern end of the town, and removed from the Marina. Immediately on the commencement of this struggle the citadel and Fort Salvador opened from across the water a continued fire of shot and shell right at the houses on the Marina, and into the town generally, while the fort (called "Real Basso") at the extreme north end of the Marina fired raking discharges of grape down it. Being myself at that moment on shore in the Consul's house I made my way to a front house on the Marina, and looking out for a time, I can depose to the fact, on my own testimony as well as that of the officers on this ship's deck and of the gig's crew (then at the Marina and in imminent peril), that this firing was begun by the citadel without the least provocation from the side of the Marina; and that neither at the time nor afterwards were there means of offence whatever from the town against those fortifications.

Subsequently the steam frigate *Carlo III*, moored off the arsenal, opened a fire of shells from her 2 heavy guns; the whole of this heavy fire being directed not to the part of the town or the houses nearest to the point of attack, but to the town generally and the Marina in particular. That you may understand the futility of such a proceeding in intimidating the insurgents or in reaching them at all, I must explain that the Marina is a terrace about 1,800 yards long skirting the harbour, composed of large double blocks of houses of great height, back to back, very solidly built, with many interior walls, the whole of stone. They stand up higher than any buildings behind them, and form a perfect screen for the rest of the town; and even were the front houses destroyed the ruins would have the same covering effect. The distance of these houses in a direct line from the citadel is 860 yards, and from Fort Salvador only 600. The extreme terror and misery of the inhabitants residing on or near the Marina (most of them foreign residents, principally British) thus driven to take refuge in their vaulted cellars may easily be imagined. I should also mention that every house of a resident foreigner might be easily distinguished by the national colours hung out on each side. For an hour and a half this heavy fire was kept up on quiet inoffensive parts of the town, which had no means or intention of replying to it; and it was only discontinued after dark. It is difficult to ascertain the precise objects they fired at, or what could have been the intention of the bombardment; but were it not that I conclude it to have proceeded from the nervous excitement of the moment, in men unconscious of the destructive effects of the weapons they used, I should not hesitate to pronounce it a most savage and wanton act, as barbarous as it was useless.

The damage to vessels afloat is happily very trifling, but on shore both shot and shell have gone into the houses of foreign residents, including several English houses, to the great damage of their property, and the imminent risk of their lives.

After visiting them to ascertain the facts myself I proceeded with Captain Engle, of The United States' ship *Princeton*, to the arsenal, where we had an interview with the General commanding (Cardamone). In answer to the strong remonstrance and protest made by us, the General made a sort of palliative explanation, which seemed to us very insufficient. He did not disavow the firing of the citadel, nor did he say he had endeavoured to stop it; and he asserted that the town had fired shells on the citadel before it opened on the town. This I contradicted at the time, and this morning I had the satisfaction of proving to the Governor by the evidence of the second in command of the citadel, that the town did not fire on the citadel at all. During the night I had the whole of the merchant-ships moved across the harbour to a place of safety.

This morning the Consular body, with Captain Engle of The United States' ship *Princeton* and myself, waited on the General, and the result of a very long and animated discussion is, that the General, who had last night received fresh orders by steamer from Naples, totally disavowed the firing from the citadel, saying that he had sent 3 messengers to stop it, in vain. He added that he had placed General Busaco under arrest, and he was being sent off by steamer for Naples for trial by court-martial immediately. I cannot say I am quite satisfied with all this, since as the citadel is not 5 minutes' walk from the General's quarters the whole bombardment might have been stopped in 10 minutes instead of lasting an hour and a half.

Moreover, the steam-frigate that began some time after the citadel was moored close to the General's quarters, and if she did not begin by his orders, she might easily have been stopped there by his own voice.

Finally, the General has in our presence given his orders to the citadel that it is not to fire shells in any case, and that it is to fire shot at those points only from whence an attack is being made on the King's forces.

It is much to be regretted that his Excellency did not give these orders at an earlier period as he was requested to do by me; since, besides preventing the recent losses of life and property, they would have given no occasion for that exasperation of the population which a contrary policy has excited here as well as at Palermo.

During this day things have remained perfectly quiet.

The *Gladiator* has just arrived, and the news she brings from Naples may probably conduce to their continuing so, until the people hear more in details the offers to be made to them by the King's Government.

I do not think the King's military possessions of these fortifications can be endangered by the means at present in the possession of the insurgents; and as, on the other hand, the troops have not a chance of recovering any part of the town, I trust that both parties will remain at rest until the affairs of the whole country are settled by negotiation.

I have, &c.

Vice-Admiral Sir W. Parker.

H. J. CODRINGTON.

(Inclosure 2.)—Consul Barker to Lord Napier.

MY LORD,

Messina, January 31, 1848.

ON the 29th instant the revolution had effect here. In the afternoon the troops left their quarters, but were driven back by the insurgents. About 50 soldiers were killed, and 2 pieces of artillery taken from them. The loss on the part of the rebels was 2 killed.

At 4½ P.M. the citadel, forts, and the steam-frigate bombarded the town in every direction; British property sustained considerable damage.

On the 30th the Consuls waited on the General, demanding an explanation of the bombardment; the inclosed is a copy of a declaration made by him to the Consular body.

The execution of the laws is in the hands of the people.

I have, &c.

Lord Napier.

W. W. BARKER.

(*Inclosure 3.*)—*The French Vice-Consul to Consul Barker.*

M. LE CONSUL,

(Translation.) *Messina, January 30, 1848.*

I HAVE the honour to transmit you copy of the despatch which has been addressed to me by the General in command of the town a few moments after our meeting at his house.

Accept, &c.

W. W. Barker, Esq.

COMTE DE MARICOURT.

(*Inclosure 4.*)—*The Commandant of Messina to the French Vice-Consul.*
(Translation.) *Messina, January 30, 1848.*

THE Undersigned, General commanding the province and city of Messina, has the honour to acquaint the Count de Maricourt, Vice-Consul of His Majesty the King of the French at Messina, that the citadel having fired from the batteries on the town contrary to his orders, he has entirely disavowed the conduct of the General commanding the said citadel, who not only violated the orders not to fire, but commenced firing on his own responsibility; and as the crime of the General is contrary to discipline and to the particular convention by which the Undersigned agreed not to make use of cannons and mortars from the citadel but in case of siege, which was to be announced previously by a proclamation, which accords the necessary delay for the safety of families and their property, the Undersigned declares again that he sends to Naples General Buseao, ex-Commandant of the citadel, subjecting him to a council of war to judge of his conduct, and at the same time the Undersigned promises, as he had already done, that henceforth no firing shall take place against the city with the artillery of the citadel, but in case of a formal declaration of siege, the proclamation of which shall be communicated to the Consular corps.

The Undersigned requests the Count will have the goodness to communicate the contents of this note to the different Consuls, and to cause them to accept the assurances of his high consideration.

Count de Maricourt.

DOMCO. CARDAMONE.

P.S.—It is to be understood that the citadel will not fire with mortars, but that it shall have the power to defend itself against

approaches or batteries that may be directed against it and the retrenchments of Terra Nova, with the guns directed against the points of attack.

No. 8.—*Lord Napier to Viscount Palmerston.*—(Rec. February 17.)

MY LORD,

Naples, February 7, 1848.

I HAVE again to thank Mr. Lyon, proprietor of the yacht *Fair Rosamond*, for some interesting details of the progress of events at Palermo, and I submit to your Lordship copy of his letter herewith, by which your Lordship will be informed of various circumstances of a deplorable and tragical character attending the retreat of the Royal forces from the vicinity of the port of Palermo and their embarkation at Solanto, 9 miles from the city. Subsequent intelligence induces me to believe that the cruelties practised by the Neapolitan troops on their march are rather underrated than exaggerated by Mr. Lyon.

With respect to the traces of butchery and torture alleged to have been discovered in a police office referred to in Mr. Lyon's letter and of which much has been spoken, it will be my particular care to collect and sift the best evidence on the subject that I may be enabled to procure; but I can state to your Lordship that these particulars are, in the opinion of Captain Key of Her Majesty's steamer *Bulldog*, by no means devoid of truth.

The troops embarked at Solanto and reached Naples in a miserable state of famine and destitution.

By the inclosed despatches from Her Majesty's Consul your Lordship is placed in possession of the events which attended the revolt of Catania and Girgenti, and of occurrences at Palermo up to the morning of the 4th instant, to which I have only to add that on the evening of the 4th the castle of Palermo, Castellamare, surrendered by Royal order to the insurgents, after being battered and again firing with shot and shells on the city, and the garrison was embarked unmolested owing to the humane interposition of Captain Lushington of Her Majesty's ship *Vengeance*, and Captain Key of Her Majesty's steam-vessel *Bulldog*, who walked through the principal street with Colonel Gross the Commandant, thus displaying the moderation of the people and the respect and confidence manifested towards the officers of Her Majesty's vessels of war.

There are consequently no remains at Palermo of the original garrison nor of the reinforcements dispatched under the command of the Count of Aquila, amounting in all to above 10,000 men.

The *Bulldog* arrived at Naples on the evening of the 5th, and remains at the disposal of the Earl of Minto.

I have, &c.

Viscount Palmerston, G.C.B.

NAPIER.

(Inclosure 1.)—*Mr. Lyon to Lord Napier.*

Fair Rosamond, at sea, off Ustica,

MY DEAR LORD NAPIER,

January 31, 1848.

ACCORDING to your desire I send you all the *affiches* that I could collect published since my return to Palermo, which place I left yesterday for Solanto, where the steam squadron of the King of Naples is collected. You will have been put *au fait* of the proceedings at Palermo up to the evening of the 26th instant by Captain Robb, who sailed on that evening for Naples, and who would have informed you of the fall of the Palace early on that morning and the surrender of the Finanze at about 4 P.M. of the same day to the people.

The furniture of the Palace alone suffered at its capture; all the pictures, objects of art, and the beautiful chapel it contains, were respected and guarded by the chiefs of the popular army. Being present, I can answer for the truth of this, and likewise, when the troops (700 in number) gave up the Finanze, they were most kindly treated on giving up their arms. All the police in uniform were equally well treated; those called "*sbirri*," I believe 40 in number, were also, in most cases, safely put in prison, though some few (4 or 5) were murdered. On the morning of the 27th General Desaget held only the barracks near the Mole and the fortress called the Castelamare under Colonel Gross, and he proposed through Captain Lushington's mediation, to give up both these posts on condition that he was allowed to embark his men without molestation, and to dismantle the fortress. This message being sent to the Senate, they replied that their ultimatum was, that he should first give up all political prisoners; secondly, surrender the prison and galley-slaves to the guards of the popular army; and thirdly, give up the fortress in its present state.

The General's answer to this was that he would concede the two first points, but not the third relative to the fort. Captain Lushington in vain tried to bring the hostile parties to terms, but could only obtain that the King should be sent to request him to concede the fort without destroying it; this message was equally unsuccessful as the former one had been to the Senate, and consequently the General commenced embarking his sick and wounded under the protection of the fort and 2 gunboats (but, strange to say, the steamers kept without range of the fire), whilst the people made a vigorous and general attack on the troops at all points, and with success. By 5 o'clock the people were in possession of the houses near the point of embarkation and had their guns, 24-pounders, so near the shore as to drive the gunboats to take shelter by retiring beyond the steamers. Still there was nothing to prevent the General from completing the embarkation of his troops, and he

boasted to Captain Lushington as late as sunset on the 27th, that he could embark any amount of property and troops from the fact of commanding the bay both by the steamers and from the fort. On the morning of the 28th, to the surprise of everybody, it was discovered that the General had collected all his troops excepting those in the fortress, and retired by a detour near Mount Pellegrino, and was marching completely round the town as if he were going into the country. He likewise liberated the galley-slaves and other felons by firing at the prison gate and killing several of them. I cannot however answer for this, as I did not see it, but I can answer for his letting loose all the galley-slaves upon the town of Palermo. The people hung upon the flanks of the King's army all the 28th instant, much exasperated by the outrages committed by the troops on their march round the town; the King's army gained the road to Solanto on the night of the 28th, which is in an easterly direction from Palermo.

On the 29th, the peasants from the villages in that direction flocked in great numbers into Palermo, calling on the Senate to avenge their children and women who had been murdered by the retreating army of the King. I borrowed a horse about mid-day and rode out to ascertain the true position and strength of the parties, I met on my way numerous peasants all telling the same sad story, the women in many instances covered with blood, and declaring that the blood was that of their children who had been murdered. As I followed a road running parallel to the 2 parties, I did not see anything except the farms and villages burning on the line of retreat, and a few murdered men.

At about 9 miles from Palermo, at a town called Bagaria, the parallel roads nearly touch, and here I found the head of the retreating army of the King passing at about a mile distant from the town, but which it did not venture to enter. The retreat was conducted in an orderly manner; the rear guard, which was being attacked by the people, was hidden from my view, but I should conceive that the King's troops were not less than 5,000 in number but they might be stronger as the nature of the ground and their mode of retreat did not enable me to arrive at any good calculation.

On the evening of the 29th, the King's army reached Solanto, a small place about 2 miles eastward of Bagaria, where 10 steamers and merchant-brigs were waiting for them.

On the 30th I got under weigh, and went round to Solanto and found the troops embarking. Skirmishing was kept up all day with the people's advance guard, which, towards evening, got near enough for the steamers to open their fire upon them. By nightfall a great many troops had embarked, but I doubt if the shipping was sufficient

to embark the horses of the cavalry, of which there seemed to be a regiment.

I regret I could not spare time to have a copy made for you of the correspondence between the Senate, the Duc de Majo, and Colonel Gross, relative to the bombardment of the town. I read it, however, in the original. The first letter was from the Senate to the Duc de Majo, complaining of the indiscriminate throwing of shells and wantonly killing women and children who had no notice to remove out of danger. The Duke replies, that the whole blame lies with Colonel Gross, who had acted on his own responsibility in throwing shells from the fort without his (the Duke's) order, and that Colonel Gross will have to answer for his conduct. The Senate inform Colonel Gross of this letter of the Duc de Majo's, and accuse him of cruelty and barbarity in thus shelling the town indiscriminately without or against the Duke's orders. Colonel Gross replies, that as the Duc de Majo by his letter has implicated his honour, he must in self-defence send to the Senate the copy of the written order of the Duke for the bombardment of the town. Colonel Gross then sends an authenticated copy, signed by witnesses, of the Duke's order desiring the Colonel to throw shells every 5 minutes into the town, though, if practicable, he may spare the Buttera quarter (which is the English Consul's residence) and the Porta Macqueda (the French Consul's residence). It is this conduct on the part of the Duc de Majo which causes the Senate to refuse any terms with him. Colonel Gross is respected, and faith would be put in his promise. Since Colonel Gross has been left in command he has not thrown shells or shot without provocation; and he promised Captain Lushington that he would throw no more shells; but he was obliged by a council of war to retract that promise, as the engineer officers find that there are some houses too near the fort and under which the people will get their guns in position against the fort. The fort, if taken, will be taken I should say by escalade, as it would require some days and some knowledge of gunnery to breach it.

Colonel Gross makes no hesitation of speaking his opinion of the Duc de Majo and General Desaget. Believe me, &c.
Lord Napier. W. LYON.

P.S.—I visited the Police Office of which so much has been said relative to torture having been committed there constantly. I send you the procès-verbal which was taken by those who first entered it. I found the secret door as described, also the small inner apartment containing the niches or shelves in which the skeletons were found, and the place as described. The bones and parts of human bodies had been removed, as many days had elapsed since the office had been taken.

(*Inclosure 2.*)—*Procès-verbal of Giuseppe Oddo.*

(Translation.)

Palermo, January 20, 1848.

On the 20th instant, passing by the Largo Santo Domenico I was stopped by a number of people who stood before the police office, at the head of which there was once Silvestri and now there is Arini. To my great horror I found what follows. Fresh bones, living blood, flesh and human limbs spread about a secret chamber, and several instruments of torture and a trap-door were there, that indicated a human slaughter-house. Pushed on by the people crying loudly "Vengeance! vengeance!" I made a report of it as an authentic proof of the infamy of those who instead of administering public justice were impious murderers.

G. ODDO.

(*Inclosure 3.*)—*Consul Goodwin to Lord Napier.*

MY LORD,

Palermo, January 30, 1848.

RESUMING my narrative of military operations brought down to 28th January, I have the honour to acquaint your Lordship that a body of Neapolitan horse and foot whose retreat had been cut off at Olivuzza, where a bloody conflict took place between the troops and the villagers, proceeded to Bocca di Falco and fell on the defenceless peasants, putting men, women, and children to promiscuous slaughter. Repulsed by the Monrealese, who came down *en masse* to rescue their neighbours, the soldiers fled through the royal garden, crossed the Oreto, advanced to La Grazia, plundered that village, and proceeded to Abate (on the road to Catania) where they proposed taking up their quarters. Defeated by the peasants they struck off to Bagaria, but finding the country up in arms they encamped in the neighbourhood, where they still remain. A detachment, which attempted yesterday to force its way to Solanto, was cut to pieces by the peasants.

As soon as the troops embarked at the Mole, the galley-slaves at the arsenal, whose chains had been knocked off, forced the gates and broke loose. Once free themselves, they rushed in a body to the New Vicaria, and set the prisoners at liberty. No inconvenience has yet been sustained, but fears are entertained for the future. The new National Guard, it is hoped, will preserve peace and order in the city and environs.

The Revolution at Girgenti took place on Saturday the 22nd in the most peaceable and orderly manner. Colonel Bianchini placed himself at the head of the people and has since been named Commandant of the place. In the course of an hour every one had mounted the national cockade, and 400 or 500 men were in arms. They are now organizing a National Guard; about 800 took the oath this morning (26th) to live or die for the Constitution, and

those who receive pay have engaged to go to the assistance of Palermo if requested. The authorities are all deposed. About 100 soldiers and gendarmes are at the Castle, guarding the prisoners. All the province appears to be in movement. Canicata has sent deputies to form an alliance with Girgenti, and has offered an armed force either to assist Girgenti or Palermo in case of need.

We have had a dreadful tragedy at the Mole. On Sunday night about 90 convicts escaped from the Castle; a few were retaken by the Civica, and two or three killed. Those who did not escape, 156 in number, were put into the fosse for security. On opening the fosse on the 26th 130 were found dead, and 26 only living. The first report was that they had got rid of their chains and made them instruments of mutual destruction; it is now said that the convicts were killed by the royal troops who were left to guard them; that grenades were thrown into the fosse last night; and that the bodies were brought out all blackened with gunpowder. At present, 26th instant, a force of 1,200 National Guards is organized in the city and at the Mole of Girgenti. So writes Vice-Consul Oates.

I have, &c.

Lord Napier.

JOHN GOODWIN.

(Inclosure 4.)—Consul Goodwin to Lord Napier.

MY LORD,

Palermo, January 31, 1848.

I HAVE had the honour to receive your Lordship's letter of the 27th instant, acknowledging the receipt of my despatches, and conveying to me your Lordship's approbation of their tenor and details, and also directing me to acquaint the Prætor of this city that your Lordship has received his letter applying for British mediation.

It gives me great pleasure to find that my humble exertions have met with your Lordship's approval.

Instructed to convey your Lordship's gracious message to the Prætor in a confidential manner, I sought and obtained a private audience of his Excellency, read to him a literal translation of your Lordship's commands, and allowed him to peruse it repeatedly. His Excellency appeared to be perfectly satisfied with the message, and desired me to return you his warmest acknowledgments for your Lordship's anxiety to promote the restoration of public tranquillity.

Having been summoned on my way to the Senate House to attend a Consular meeting convened by M. Bresson, I went to the French Consulate and found most of my colleagues assembled to make a collective demand for the establishment of neutrality in the port of Palermo. As soon as we were joined by Captain Lushington, Commander Key, and Lieutenant de Vaisseau Delacour, the draft of a note was read by M. Bresson, and after much discussion and

some slight alterations was adopted unanimously. The object was to prevent the fort at the Mole held by the insurgents from firing at the castle held by the King's troops, and *vice versâ*. We then adjourned to the Senate House, where we found the Committee broken up for the day; after some delay the President D. Ruggiero Settimo, made his appearance, and without waiting for his colleagues proceeded to business. The discussion was conducted chiefly by M. Bresson and M. Delacour; the result was that the President signified his intention to lay the matter before his colleagues, and return an answer to-morrow.

The intended attack on the Castle having been mentioned, and M. Bresson having begged the President to give sufficient notice to foreigners to get away, as many have returned on shore, the President consented to postpone the intended attack until Wednesday morning next, but besought us to employ the interval with all diligence in removing our persons and property.

Thereupon we took leave and passed through the ante-rooms amidst deafening shouts, among which that of "Viva l'Inghilterra!" was the loudest and most general. I have, &c.

Lord Napier.

JOHN GOODWIN.

P.S.—To-day the Castle has been firing upon the Sanità in order to demolish it and the insurgent batteries with little effect.

The inclosed* from the Commandant of the Castle has been notified to all British subjects on shore and all foreign Consuls

(*Inclosure 5.*)—*Consul Goodwin to Lord Napier.*

MY LORD,

Palermo, February 1, 1848.

VICE-CONSUL JEANS writes thus from Catania, under date of the 29th January :

"The whole of Catania, with the exception of the castle, which is held by Brigadier General Rossi with about 500 men, is in possession of the insurgents. On the morning of the 26th, the Collegio Cutelli, held by the troops as an outpost to the prison, was attacked, and after a desperate resistance carried by the people, who showed the utmost kindness to the soldiers, wounded, and prisoners. On the following morning the prison was attacked and, after a short resistance, taken; the prisoners were equally well treated. Yesterday morning the Gendarmeria was taken. On the evening of the 27th, it having been reported that General Rossi intended to follow the example of the General at Palermo, and bombard the town, the Vice-Consular body held a meeting at my house, and drew up a protest, which was sent into the castle on the following morning

* See Page 740.

through one of the soldiers who had been made prisoner; our protest was not without good effect, for the Neapolitan steam-frigate, *Carlo Terzo*, having made her appearance on that morning, and having been fired upon by the insurgents, the castle began to fire on the city for about 2 hours, and only ceased on the receipt of our protest. Yesterday and to-day, 29th, the city has been quiet, the different committees are organizing themselves, and probably making arrangements for an attack on the castle. I must bear testimony to the fact that the first attack was of the troops on the populace; that the wounded and prisoners have in every instance been treated with the greatest kindness and humanity; and that the endeavours of the different Provisional Committees have been successful in preventing any outrage or disorder on the part of the populace."

The Vice-Consul adds in a private letter:

"The disturbance began thus. On the arrival of the mail from Palermo about 7 o'clock on the evening of Tuesday 25th, the populace began shouting in the Piano del Duomo, where the Post Office is situated. The troops stationed at the Collegio Cutelli began firing up and down the Corso, without any warning, killing or wounding all who were passing at the time, among the latter was D. Puddo Abate, the well-known guide and much-esteemed landlord of the 'Corona,' who crossing over to his hotel from the house of his daughter, who lived directly opposite just at the moment the troops began firing, was one of the first victims. The loss on the part of the populace is very small. The enthusiasm is excessive; it quite surprised me during the attack on the Collegio, to see boys of 9 or 10 years' old dragging the cannon wherewith they attacked the Collegio, and throwing large stones at every window where a soldier appeared. All the people, high or low, have been well behaved up to now.

"As I walk through the streets at least every second person salutes me, or rather my country through me. It is quite gratifying in such a moment to be an Englishman, to see the estimation in which our country is held. I have several offers of country-houses in the neighbourhood, in case of an attack by sea or land, but I have of course answered I shall not abandon my post."

I have, &c.

Lord Napier.

JOHN GOODWIN.

(Inclosure 6.)—Consul Goodwin to Lord Napier.

MY LORD,

Palermo, February 4, 1848.

AN interesting correspondence has taken place between Captain Lushington and Colonel Gross relative to the prisoners of State. Captain Lushington asked Colonel Gross to entrust the prisoners to

his care during the intended bombardment, as they were confined in a place that was not bomb-proof. He undertook not to let them land in Sicily without Colonel Gross' permission or that of the King of Naples, and to take their parole that they would return to prison at the end of the bombardment. He desired Colonel Gross to think of the families not only of these State prisoners committed to his custody, but also of the families of the Neapolitan prisoners of war in the power of the Sicilians, and observed that as these prisoners of State had never borne arms against the Neapolitan Government, it was cruel to expose them to the horrors of a bombardment. Colonel Gross, in reply, regretted that he could not grant the request, because the sole condition on which the release could be effected had not been accepted by the committee to whom it had been communicated. * This condition was that all the State prisoners should be exchanged against all the prisoners of war; the number of the former in the hands of Colonel Gross is 11; that of the latter in the hands of the Committee is above 1,500.

2nd February. The Committee having declined complying with the request of the Consuls for declaring the Mole neutral ground, and an attack on the castle being daily expected, the British merchant-ships put to sea by desire of Captain Lushington who had previously victualled them for Malta, and the few British residents who remained on shore having been officially informed that even Consular houses would not be spared, went out of reach of danger from the fire of the castle. The day passed over with nothing remarkable beyond another and a fruitless attempt to demolish the Sanità.

3rd February. The Royal Decree of the 29th January, announcing that the King had ordered the plan of a Constitution for both Sicilies to be framed by his Minister in 10 days, and had directed a Parliament for both realms to be held in the capital of the kingdom, had no sooner been read in the Committee than it was decidedly rejected, and the unanimous rejection being proclaimed in the streets was received with shouts of applause. Captain Lushington, who as well as Commander Key and myself were present on this occasion, was requested by the Committee to renew his negotiation with Colonel Gross for the release of the prisoners of State, and was authorised to offer 22 Neapolitan officers to be chosen by Colonel Gross himself from the list of prisoners of war in exchange for the 11 prisoners of State now confined in the castle. This honourable task was readily undertaken by the gallant officer.

I have, &c.

Lord Napier.

J. GOODWIN.

No. 9.—*Lord Napier to Viscount Palmerston.*—(Rec. February 21.)

MY LORD,

Naples, February 11, 1848.

I HAVE the honour to submit to your Lordship herewith copy of an unofficial letter from Captain Codrington of Her Majesty's ship *Thetis*, by which your Lordship will observe that he is actively and successfully engaged in moderating the violence of the insurrectionary party at Messina and in persuading them to await the result of those negotiations in their favour which are being carried on at Naples.

I have, &c.

Viscount Palmerston, G.C.B.

NAPIER.

(Inclosure.)—*Captain Codrington to Lord Napier.*

DEAR LORD NAPIER,

Thetis, Messina, February 9, 1848.

THIS morning, I am glad to be able to say, we have just successfully managed a very difficult point which had been pressing us closely. Fort Real Basso was very short of provisions, and is, as you know, quite detached from the other works. As yet I don't see any chance of its being taken by force, but famine might have done it in a few days; as it was really getting very hard up, it might; every day was of importance. At last the town, through the Comitato, consented to allow a week's provisions to be put in from the citadel, that has now been re-victualled from Naples by the steamers; for we fairly told the town, and I particularly explained to them, that they could not prevent it being easily done by force, and with little or no loss to the troops, though with great danger to the citizens.

My object in favouring this is to give breathing time for your negotiations to go on, and come to some conclusion sufficiently acceptable to Sicily to put an end to hostilities altogether. Pray bear in mind that the final struggle (if any is to be) will be here where the King's military grasp is strongest, and when the parties being armed and in each other's presence and both very irritated, we have extreme difficulty in preventing them from renewing hostilities at any moment. The sooner you can get the King's Ministers to send to the city anything official which may cause the citizens to lay on their oars the better.

The soldiers do not so much want to fight as the insurgents. I went round the lines yesterday, and do not think the advanced posts at all likely to be taken yet, and the citadel never, by these people. But the Palermo people are, since their citadel has been taken, sending men, arms, ammunition, and guns here ready for the final struggle to drive the King out of Sicily altogether, if they don't get what they ask. I expect the Admiral here this week from Malta.

Yours, &c.

Lord Napier.

H. CODRINGTON.

No. 10.—*Lord Napier to Viscount Palmerston.*—(Rec. February 28.)

MY LORD,

Naples, February 18, 1848.

I HAVE the honour to inclose to your Lordship herewith copy of 2 despatches from Her Majesty's Consul at Palermo, containing further accounts of the late events at Palermo and Catania, and one descriptive of Captain Lushington's exertions on the occasion of the surrender of the castle of the former city. I have, &c.

Viscount Palmerston, G.C.B.

NAPIER.

(Inclosure 1.)—*Consul Goodwin to Lord Napier.*

(Extract.)

Palermo, February 7, 1848.

MY despatch of the 4th instant terminated abruptly, an officer of the *Vengeance* having come unexpectedly to take my letters off to the *Bulldog*.

Before he was gone the attack on the Castle began; it lasted from 1 to half-past 3 o'clock in the afternoon, during which time a fire of shell and shot was kept up incessantly between the castle and the batteries. These were 2 in number, viz., 1 at the Mole and 1 near the Porta Felice. The latter, masked by a wall, escaped observation until 3 18-pounders looked forth from embrasures just open in the wall and began the attack upon the castle to the astonishment of the garrison.

Hard by the battery were 2 mortars, masked partly by a wall and partly by gabions, shells from which were thrown into the Castle with such precision of aim that out of 39, 6 only fell short of the mark or overshot the castle. The action was brought to a close by an order from the King to surrender the castle, which was carried by Captain Lushington in his gig through the thickest of the fight to the Commandant Colonel Gross, who thereupon agreed to capitulate on honourable terms. The capitulation was carried into effect the next day under the inspection of Captain Lushington, who marched with the troops from the castle to the Mole, his presence being considered necessary to protect the officers and soldiers from the imagined fury of the multitude. The treatment of Colonel Gross, the unwilling instrument of tyranny and oppression, is a proof that the Sicilians know how to distinguish the hand of the soldier from the heart of the ruler: he who had plunged thousands into misery and ruin by the burning of the Monte di Pietà di Santa Rosalia was so far from being insulted on his march, that he was even saluted by many of the bystanders; unmindful of their own losses the people thought only of the kindness he had shown to the State prisoners.

During the retreat of the troops the "Te Deum" was celebrated in the cathedral with all the pomp of the Romish Church. The Committee of Public Safety, the Senate of Palermo, and all the

foreign Consuls except the Austrian, the Earl and Countess of Mount Edgecumbe, and nearly all the Sicilian nobility attended the ceremony along with an immense concourse of spectators of all ranks in society. At the conclusion of "Te Deum," the Cardinal Archbishop, standing at the high altar, blessed the congregation, and afterwards passing to his throne in the choir bestowed a similar benediction on the national flags, which were presented to him by the leaders of the force, amidst thunders of applause. The martyrs of the revolution, the 11 State prisoners, were objects of general attention; they looked remarkably well, considering the length and closeness of their imprisonment.

The discovery in the palace of private letters, the inclosures in which were missing, has kindled fiercer indignation than ever against Majo and Vial.

Most of those letters were for Sicilians, a few only were for foreigners, and those of little consequence. The former are said to have covered bills of exchange, of which no traces are to be found. The accounts of the Duchy of Bronte are among the missing inclosures, the cover alone has been found. It is gratifying to be able to state that the reputation of the Post-Office has risen with the character of the Government; complaints of missing letters are now no longer heard, and letters and papers are now posted without hesitation.

The damage done to private houses by the late bombardment is immense. The apartment of Mr. Seager in the Butera Palace is so completely ruined that out of 20 rooms scarce 2 are habitable; the furniture is either shattered to pieces or totally destroyed. The drawing-room of Mrs. Vianna, an English lady, recently furnished in a sumptuous style, is almost a total wreck. A room at Mr. Murdoch's is also severely injured. Broken windows on the Marina are general; my own are amongst the number. For this damage and destruction, claims of compensation have been sent in officially, the justice of which will form the subject of future discussion.

Vice-Consul Jeans writes as follows from Catania under date of the 31st January:

"The insurgents are arming the Bastione di St. Agata and preparing to attack the castle, where the troops are badly off for provisions. The city is full of armed men wearing the national cockade, and every day crowds come in from the country. The determination to bombard the city, unless the soldiers be allowed to march out of the Castle with honours, is dictated by a spirit of revenge, the more reprehensible as all the prisoners have been treated with the utmost kindness."

Mr. Jeans writes further, 2nd February:

"Here nothing decisive has taken place. General Rossi, to whom a despatch had been forwarded by the members of the Provisional Government, containing a decree granting a Constitution, has this morning sent a despatch to the Consular Body, requesting them to make known to the Comitato his wish for a suspension of hostilities until the receipt of further instructions from Naples. His request has been made known to the Comitato, but we have yet to learn what their decision may be. This morning a deputation of 3 members of the Comitato started for Palermo to intimate their wish to the Provisional Government, that Catania and Palermo should act *d'accord*. The decree granting the Constitution has been but coldly received. It is rather considered to be a feint on the part of the King to quiet his continental subjects, that he may have more means of acting against Sicily. At any rate this city will be guided in its future conduct by the acts of Palermo."

Vice-Consul Oates writes this from Girgenti under date of 2nd February :

"On 31st, the fort at the Mole surrendered with 81 men, troops of the line. Yesterday the Commandante capitulated for the troops in this town, consisting of 30 of the line and 120 gendarmes. This morning they delivered up their arms. Not a single shot was fired; not a single drop of blood was shed. Not a single robbery has been committed in the town since the breaking out of the revolution. Nearly all the troops of the line (Sicilians) have enrolled themselves in the National Guard."

"Last night," says a correspondent, "a new demonstration, more brilliant than any of the former, took place at the Teatro Carolino, which was opened for the first time since the commencement of the late revolution. The house, full to overflowing with rank and fashion, was decorated with tricoloured flags, the drapery of which concealed obnoxious emblems of despotic power. For the overture of the play, the 'Gemma di Vergy,' the national hymn was substituted, and sung with unbounded enthusiasm. Acclamations in honour of the Committee of Public Safety, the Patriotic Force, the cities of Messina, Catania and Girgenti, England and America, and lastly, the British Commodore and the squadron, burst forth repeatedly, amidst cries of 'Viva la Costituzione del 1812!' The duetto of the 'Puritani,' 'Suoni la tromba,' was sung by the pit upstanding."

Lord Napier.

JOHN GOODWIN.

(Inclosure 2.)—Consul Goodwin to Lord Napier.

MY LORD,

Palermo, February 11, 1848.

THE conduct of Commodore Yauch in keeping back the Royal order for the surrender of the castle, on the 4th instant, is the

general topic of severe reprehension, and I leave to your Lordship to form your own opinion on the following facts. At 11 A.M. the Commodore anchored, and at 12.40 called on Captain Lushington, who informed him that an attack on the castle was instantly to take place. He returned on board, and at 1 the firing commenced. At 2.20 an officer from the Commodore waited on Captain Lushington, conveying the Commodore's request that he would endeavour to stop the firing, as he had 2 officers on shore and thought he could treat.

In reply, Captain Lushington desired him to tell his Commodore. if he would send him a copy of the terms in writing, and they were such as a British officer could offer, he would stop the firing at all risks. At 3.10 the officer returned with the terms offered by the King. Captain Lushington then proceeded in his gig to deliver the terms, a task which required about 20 minutes. The firing, therefore, which began at 1 P.M. and lasted until 3.30, appears to have been kept up without need for 2 hours and a-half.

I have, &c.

Lord Napier.

JOHN GOODWIN.

(Inclosure 3.)—*Consul Goodwin to Lord Napier.*

MY LORD,

Palermo, February 13, 1848.

VICE-CONSUL JEANS writes from Catania under date of 7th February :

“General Rossi still holds out in the castle merely because he has not yet been attacked. The leaders of the movement have done everything in their power to restrain the populace, keeping them employed in undermining the castle, in sending for canon-balls from Messina, mounting cannon in the neighbourhood of the castle, &c. Meantime, every day betters the cause of the people and weakens the chance of the General, whose provisions must be at a low ebb.”

The castle of Milazzo has fallen, and the citadel is hastening to its downfall. A strong force, with cannon, ammunition, &c., has been despatched from Palermo, under popular leaders, to aid the besiegers. The Commandant of the castle having threatened to bombard the town, although not a shot had been fired, unless the citizens paid him a ransom of a thousand ducats, received for answer that he would do so at his peril, for, if taken, he should have no quarter; a threat which, coupled with active preparations for resistance, caused him to retract his menace.

At Messina the French Vice-Consul, M. de Maricourt, has according to M. Bresson, covered himself with honour, first in remonstrating to General Nunziante on his breach of promise not to bombard the town, and secondly, in rescuing a religious community, the nuns of San Gregorio from the grasp of a brutal

soldiery, who having taken possession of their monastery, threatened to hold the inmates as hostages for the good behaviour of the townspeople.

At Catania, where the castle still held out on the 9th, the surrender of that fortress has probably by this time taken place. Two members of the Committee were to meet 2 officers of the garrison on the 10th instant, on board Her Majesty's ship *Harlequin*, at which meeting proposals would probably be made for a suspension of hostilities for a few days, at the end of which period the castle, if not previously relieved, would be surrendered to the citizens.

This arrangement would, it is said, save the honour of General Rossi, who, having still provisions left, thought it derogatory to surrender his trust before the garrison were reduced to absolute want.

Vice-Consul Jeans and Commander Moore, R.N., whose intervention had been solicited by the Committee and accepted by the Commandant, would do their utmost to arrange the preliminaries of a safe and honourable peace.

I have, &c.

Lord Napier.

JOHN GOODWIN.

No. 11.—Lord Napier to Viscount Palmerston.—(Rec. February 28.)

MY LORD,

Naples, February 19, 1848.

I HAVE the honour to submit to your Lordship herewith copy of a despatch which I have this morning received from Her Majesty's Consul at Palermo, conveying intelligence of some excesses committed by the populace of that city, which, however, terminated in the death of M. Santoro, a principal demagogue.

M. Santoro, a master tanner by trade, was a marked leader in the revolution of 1820, and has since been conspicuous for the profession of violent opinions: he did not, however, escape the imputation of being secretly connected with the agents of Government.

The procrastinating policy of the Neapolitan Cabinet has given rise to surmises that it is their design to wait the dissolution of the Provisional Government, and of the fair order hitherto observed; and M. Bozzelli is reported to have said, that if the Sicilians did not accept the terms offered them they might devour each other.

Prince Torella, Minister of Public Works, in a conversation with myself, certainly seemed to contemplate a state of anarchy at Palermo.

M. Scovazzo, Minister of Agriculture and Commerce, this morning read to me an admirable protest he had presented in Council against the impracticable conditions of mediation offered to Lord

Minto, and his Excellency is prepared to resign his portfolio should his colleagues persist in such a ruinous course of policy.

I have, &c.

Viscount Palmerston, G.C.B.

NAPIER.

(Inclosure.)—Consul Goodwin to Lord Napier.

MY LORD,

Palermo, February 17, 1848.

VICE-ADMIRAL Sir William Parker arrived here yesterday with 3 sail and 1 steamer from Messina. No sooner had he landed than he learnt that the night before an armed mob, headed or instigated by Santoro the demagogue, had forced the prison doors, dragged forth 32 sbirri and hurried them to death without any form of trial. Horror-struck at the dreadful tidings he demanded explanations, which he has received this morning from Don Ruggiero Settimo and Don Mariano Stabile, who accompanied me on board the *Hibernia*. The Committee it seems clearly were unable to prevent the horrid crime, but Santoro, the author of the massacre, has met with just punishment at the hands of his countrymen. Last night the Committee resolved to arrest him at all risks. The resolution becoming known, Santoro gathered his followers together and made a sudden attack on a post of the National Guard. The attack was repelled, 60 or 70 shots were fired on both sides, but 1 alone took effect, and the victim was Santoro himself. This morning his 2 sons came in to apprise me of the death of their father and to beg an asylum for their widowed mother. The prayer was instantly granted, and the family of the deceased are now under my roof.

I have, &c.

Lord Napier.

JOHN GOODWIN.

No. 12.—Lord Napier to Viscount Palmerston.—(Rec. March 14.)

MY LORD,

Naples, February 29, 1848.

IN the absence of official accounts from Messina I have the honour to transmit to your Lordship herewith extracts of private letters recounting the various conflicts and bombardments of which that city has been the scene.

There is said to be telegraphic intelligence this evening to the effect that an armistice has been established between the contending parties.

In consequence of the silence of Her Majesty's Consul and the reported destruction of British property, I have addressed Mr. Barker the accompanying letter, requesting him to enter into the fullest detail of the late events.

I have, &c.

Viscount Palmerston, G.C.B.

NAPIER.

(Inclosure 1.)—*Extracts of Private Letters from Messina respecting the Bombardment of that City.*

Mr. Sanderson to Mr. Turner.

Messina, February 24, 1848, Ringo, 7 P.M.

WE have had 3 days' anxious time. On Tuesday morning, 22nd instant, at 8 A.M., the Messinese opened a battery of heavy guns on the fort at the end of the Marina, and in 1 hour made 2 immense breaches and rushed in and took it by storm, making 120 prisoners and capturing 35 pieces of cannon, most of heavy calibre, with a good supply of material and ammunition; and, wonderful to say, the Sicilians only lost 2 killed and 5 wounded; the Neapolitans 5 killed and 12 wounded. At the same time the Terra Nova was vigorously attacked; the battery, the barracks, the arsenal and Porto Franco were captured with very little loss of life, but I am sorry to say that during the bombardment from the citadel on Tuesday night the Porto Franco took fire in the warehouses of Mr. Smithson, nearly full of manufactures, and the whole were burnt and destroyed. By the aid of Captain Codrington and the ships of war the fire was subdued. The bombardment from the citadel and Salvatore continued 48 hours, night and day, doing much injury to the city, without loss of life, and only a few persons wounded.

The firing ceased at 3 P.M. to-day, and the citadel has just sent a flag of truce on board the *Thetis* (7 P.M.); if in time I will inform you of the meaning of it. Great preparations are making to attack and storm the citadel, yet it will require perhaps some days before the assailants are prepared. Never was more daring courage than has been exhibited.

9 P.M. Mr. R. Barker has just returned from the Comitato, to whom he carried a letter from General Pronio, the new commander of the King's forces in the citadel, who arrived here yesterday with steamers and reinforcements from Naples, stating his surprise at finding Messina bombarded on his arrival, though he himself kept it up violently all last night and the greater part of this day. He proposed to the Comitato to accept the Constitution offered by the King, which had been approved of by all the Italian States, and so settle the matter amicably, otherwise he would use all the means and force in his power against them. A reply is to be given to-morrow which will, I fear, seal the destruction of this beautiful city and all it contains; and many millions of ounces will it require to replace the enormous destruction of property which must ensue. God grant that it is only a threat; be it so or not I clearly see that it will have no effect on the Sicilians who are said to be sending men from all parts of the island with money to support them.

How is it possible, in this civilized age, that such a scene can be enacted? Thus Messina is to become the battle-field of all Sicily, and the vast numbers of its innocent and peaceable inhabitants are to become victims, and witness the destruction of their families and property. If they must fight, why not confine their fire upon the parts they are attacked from; it is not the city of Messina and its inhabitants alone that are engaged in the sad struggle, it is all Sicily; then why destroy the city of Messina and the large amount of foreign property in it, principally British? it looks very like a hatred to our country. I will still hope it is only a threat, and shall be glad if I can tell you so in my next.

The German houses are the most extensively exposed, their warehouses in the Porto Franco full of British manufactures, and their portfolios full of bills for goods sold during the last 6 months, and nobody pays; if the present state of things continues, and the place should be destroyed, it will be the total ruin of nearly all the foreign and native establishments in Messina.

10 P.M. The bombardment from the citadel has again commenced, so I suppose we shall have another restless night.

C. Turner, Esq.

W. SANDERSON.

Mr. Smithson to Mr. Paterson.

Naples, February 28, 1848.

I THIS moment received a letter from Mr. Joseph Smithson, one of the principal British merchants in Messina, dated Messina, 24th February, and beg to wait upon you with a copy thereof:

"We have had 32 hours' bombardment, shells have been thrown into my warehouses in the Porto Franco, which have reduced every one of them to a cinder; there can be no doubt of my recovering the amount from the Neapolitan Government, otherwise the privileges of the Porto Franco of Messina are a mockery.

Messina, February 26, 1848.

"P.S.—More fighting yesterday afternoon; it is calculated that 2,000 shells have been fired from the forts; Porto Franco has been burning in two places since yesterday afternoon, so you may judge what havoc is going on there.

JOSEPH SMITHSON."

I request you will have the goodness to lay this letter before the English authorities, as such conduct was never heard of in any civilized country; it is only Englishmen and English property that suffer.

I remain, &c.

GUSTAVE PATERSON.

From Messrs. W. Sanderson and Sons.

Messina, February 26, 1848.

THINGS remain here in the same state since the taking by the people of the arsenal and Fort Porto Real Basso.

The citadel continues to fire almost without intermission, not confining itself to those parts where the Messinese are making their preparations.

The Porto Franco has been twice set fire to by their shells, and it is feared that it will be entirely destroyed with all the valuable property it contains. Should the Messinese plant guns on the Marina, as is said, we must expect a more destructive bombardment of the town than anything we have yet experienced.

The military made a sortie yesterday from the citadel without, however, effecting anything; they received reinforcements lately from Naples by the steam-frigates, and as the Messinese seem determined not to give way, we must expect to witness a bloody struggle, the issue of which it is impossible to foretell.

W. J. Turner and Co.

W. SANDERSON & SONS.

(Inclosure 2.)—Lord Napier to Consul Barker.

SIR,

Naples, February 29, 1848.

No official account of the late events at Messina having reached Her Majesty's Legation, although various private letters have been received at Naples containing intelligence of deep importance to English interests, I have to recall your attention to my instruction of January 14th, by which you were directed to report to Her Majesty's Legation with all possible diligence and regularity on the course of political events within the limits of your Consular jurisdiction.

I am sensible that you may have been actively occupied by various duties which may have fallen upon you during the late emergency, but I must request you will lose no time in giving Her Majesty's Legation information on the following points:

You will have the goodness to state,

1st. The dates and duration of the several bombardments to which the city of Messina has been exposed since the 22nd instant, specifying with which party the active hostilities commenced on each occasion.

2nd. Whether the fire of the citadel has been pointed exclusively or principally on the quarters or positions occupied by the Sicilian forces; or has it been directed indiscriminately upon all parts of the city; or did it seem to be levelled particularly and maliciously at the residences and warehouses of British or other foreign merchants and residents?

3rd. Was the Porto Franco or its vicinity occupied by the Sicilian

forces as a point of offensive operations against the citadel, or did the insurgents manifest an intention to occupy it, or is the Porto Franco in the line of fire from the citadel towards some other position beyond or above it, so that it was unavoidably or accidentally set on fire, or was it wantonly and deliberately burned by the garrison of the fortress?

4th. You will forward to Her Majesty's Legation an enumeration and estimate of the various losses incurred by British subjects by the burning of the Porto Franco and in general by the fire of the citadel and other forts occupied by the King's troops, detailing as well as you may be able the circumstances under which such losses occurred.

I have, &c.

W. W. Barker, Esq.

NAPIER.

No. 13.—*Lord Napier to Viscount Palmerston.*—(Rec. March 14.)

MY LORD,

Naples, March 2, 1848.

I HAVE the honour to transmit to your Lordship herewith 2 despatches from Her Majesty's Consul at Palermo, containing some particulars respecting the presence at Palermo of an Austrian frigate which subsequently arrived at Naples, and conveying further information of the surrender of the Castle of Catania.

I have, &c.

Viscount Palmerston, G.C.B.

NAPIER.

(Inclosure 1.)—*Consul Goodwin to Lord Napier.*

MY LORD,

Palermo, February 22, 1848.

THE appearance of the *Guerriera* Austrian frigate, which arrived here on the 17th, having caused a great excitement in the public mind, I made the fact known to the Austrian Consul-General in a friendly spirit which was kindly taken. M. de Wallenberg, anxious to prevent disturbance, has consented to send the frigate to Naples on Captain Lushington's supplying him with fresh provisions of which she has urgent need.

The *Guerriera* is now getting under weigh and will speedily set sail.

A commission of 5, 3 of whom are littérateurs and 2 lawyers, has lately been appointed to collect materials for a report to the Committee on the expediency of calling Parliament together, or convoking a Constitutional Assembly in case the proposed mediation should unhappily not take place. The labours of this Commission will take some time before they are brought to a satisfactory conclusion.

In the meantime the mediation is the object of public anxiety.

I have, &c.

Lord Napier.

JOHN GOODWIN.

(Inclosure 2.)—*Consul Goodwin to Lord Napier.*

MY LORD,

Palermo, February 24, 1848.

IN continuation of my despatch of 18th February, I have the honour to report that the Castle of Catania was evacuated on the 15th instant, and that the stores and ammunition were handed over to the Local Committee in the presence of Commander Moore and Vice-Consul Jeans by whom the Treaty had been negotiated. On the evening of the 17th the garrison embarked for Naples under the command of General Rossi. The prisoners of war taken in action by the Sicilians remain at Catania awaiting the decision of the Provisional Government.

The statement in my despatch of the 18th instant that the troops would march out with all the honours of war, proves on inquiry to be incorrect. The garrison marched out with their baggage only, the officers alone retaining their swords, and grounded their arms on the piazza, piling them corps by corps. The terms of surrender were highly favourable to General Rossi, who having provisions for only a few days more, must needs have surrendered at the end of that time to a numerous force well armed, provided with cannon, supplied with ammunition and eager for decisive action. A general assault would probably have caused the garrison to be put to the sword in the heat of the battle; nor was this the only danger which hung over the garrison; 3 mines, one of which was found to have reached the castle walls, had been worked by the besiegers. The fortress was no longer tenable and surrender was necessary.

I have, &c.

Lord Napier.

JOHN GOODWIN.

No. 14.—Lord Napier to Viscount Palmerston.—(Rec. March 14.)

MY LORD,

Naples, March 2, 1848.

I HAVE the honour to inclose herewith 2 despatches from Captain Codrington of Her Majesty's ship *Thetis*, to Sir William Parker and General Pronio, giving more regular information of the late events at Messina than can be gathered from the extracts of private letters which I ventured to submit to your Lordship in my despatch of the 29th ultimo.

By subsequent rumours and uncertain intelligence it appears too probable that the Porto Franco has continued to suffer from the fire of the citadel and that a vast destruction of British merchandize has taken place.

Under these apprehensions it becomes a matter of great importance to ascertain and establish whether Her Majesty's Government will be justified in demanding an indemnification from that of His Sicilian Majesty; and though I shall not deem myself warranted in making a categorical demand for reimbursement without more

detailed intelligence of the circumstances under which the conflagration occurred and without your Lordship's orders, it may become necessary for me to put in some protest by way of reserving such a right to Her Majesty's Government and adducing reasons for the same, for the British merchants have already begun to betray a great and a just resentment of the reckless treatment to which their property and interests have been exposed.

I believe the general bombardment of the city of Messina to be abstractly justifiable by the laws of war. At least it does not appear in theory unreasonable that when a town in revolt is occupied in its whole extent by an armed force which draws its reinforcements and resources from every quarter and every class, the power in possession of the fortress should use all its means of offence against the community by which it is attacked, due notice having been given to foreigners. It is evident, however, that in the application of this rule peculiar regard ought to be had to circumstances, and that in the present case the Neapolitan Government had every motive to avoid the exercise of such a cruel right. For the previous bombardments, both of Palermo and Messina, had not succeeded as a method of coercion; the insurgent force had not been thus subdued or intimidated; and consequently the repetition of a barbarous and ineffectual act was not in humanity or policy to be vindicated; and again, while negotiations were being carried on at the capital under the auspices of a mediation invoked for the purpose of producing conciliation and peace, it was certainly advisable, even under strong provocation and in repulsing force by force, to avoid having recourse to an expedient which more than any other was calculated to exasperate passions and to inflict injury on innocent parties.

But, my Lord, whether Her Majesty's Government may consider the Government of Naples justifiable or not in the bombardment of the city of Messina generally, I think that the intentional burning of the Porto Franco was quite indefensible, unless that establishment or its immediate vicinity were occupied as a point of attack, for the Porto Franco being principally composed of warehouses belonging to foreign traders and being filled with their goods, cannot be considered as affording shelter or resources or assistance to the insurgent population of the city, even if it contained provisions or munitions of war the property of foreigners who sold such munitions (for the liberty of trade has never been suspended), and the Porto Franco must therefore be held exempt from that liability to destruction to which a rigid interpretation of the laws of war might condemn even the dwellings of private citizens. Nor is it sufficient to plead that the foreign merchants had liberty to remove their property to places of safety, for such an operation could perhaps not be effected in regard to objects of great bulk and value without serious expenditure

and damage, and Captain Codrington distinctly states that permission to do so was refused.

Should it, therefore, prove on further investigation that the Porto Franco was wantonly and intentionally set on fire by the garrison of the citadel of Messina, and that there existed no military necessity for such an act, I shall protest against it and reserve to Her Majesty's Government the right to demand such indemnification as they may deem due to the injured parties.

In anticipation of subsequent disasters, and in consequence of the previous and slighter bombardment, I addressed to the Duke of Serra Capriola the accompanying protest on the 1st February, founded on sufficient warning not having been given by the military authorities to foreigners on that occasion.

Her Majesty's Consul had previously addressed the Intendente of Messina in the same sense, as your Lordship will observe by the inclosed letter signed by Mr. Barker in common with the Consuls of other foreign Powers, and the representations of Captain Codrington to General Cardamone had been most judicious and unremitting.

I have, &c.

Viscount Palmerston, G.C.B.

NAPIER.

(*Inclosure 1.*)—*Captain Codrington to Vice-Admiral Sir W. Parker.*
SIR,

Thetis, off Messina, February 24, 1848.

I SUBJOIN for your information the following account of the events which have occurred in Messina since I had last the honour of waiting on you when you passed through the Faro on the 14th instant.

That evening I waited on the General and also on the Comitato, and according to your desire I communicated to each party the contents of your letter to me of that day's date, and also of one from Lord Minto to the British Consul at Palermo, dated the 12th instant; and subsequently I transmitted to them an Italian translation of both documents.

These certainly had a pacific effect at the time, but towards the end of that week various reports reached Messina that Lord Minto had not been able to obtain from the Neapolitan Government the powers necessary for him to undertake his proposed mission. The war party amongst the insurgents consequently became stronger, and on the evening of the 18th (Friday), the Comitato sent me notice that they intended to terminate the state of truce at 5 P.M. next day.

During the next forenoon the whole of the merchant shipping as well as the foreign men-of-war removed out of the harbour to an indifferent anchorage about a mile to the northward of the entrance.

Whether the means of the insurgents were not then sufficiently prepared, or that when the protecting screen of foreign shipping was withdrawn, the formidable line of batteries on the opposite side of the harbour seemed too strong for them, no attack was then made, and Sunday also passed away quietly, though the insurgents continued their preparations against the Fort Real Basso and against the position of the Arsenal and Terra Nova.

On Monday 21st, knowing that all was ready, and that Fort Real Basso would fall as surely as it was attacked, I made one more endeavour to preserve peace by bringing the parties to a conference in my cabin; after considerable discussion this finally failed.

The General was brought to allow of the withdrawal of the troops from Real Basso and the lines of Terra Nova, leaving only a small guard at each place, but he required time and means to obtain the King's authority for doing so.

I was prepared in consequence of his request to have detached the *Gladiator* to Naples with his letters on this business; but in consequence of the decided adverse feeling in the great body of the insurgents, the *Comitato* subsequently broke off the negotiations, sending notice very honourably at the same time to the General as well as to all others concerned, that hostilities would be commenced next morning.

During the night the insurgents threw up a breaching battery against the back of the Fort Real Basso, placing it at the corner of a neighbouring street where it was covered from the fire of San Salvador on the opposite side of the water. It was armed with 2 long 36-pounders, and about 7 $\frac{1}{4}$ A.M., while the fort and the neighbouring houses exchanged a fire of musketry, the battery opened at about 100 yards distance against a weaker part of the wall.

A breach was soon made, and the ditch having been partially filled up, the fort was gallantly and successfully stormed by the insurgents in spite of the flanking shell-firing of San Salvador, about an hour after they first commenced action.

The good conduct of the insurgents after their victory was as conspicuous as their courage and good management in the attack. In every instance their prisoners have been saved and well treated, and their wounded enemies attended in their hospitals in the same manner as their own wounded.

While this struggle was going on the insurgents had attacked the positions of the Terra Nova, and as the troops remaining there retreated rather precipitously after a faint resistance, the insurgents pressed on, and making their way into the lines were soon in possession of the whole position, including the arsenal.

Visiting the latter place myself with Captain Robb a few hours afterwards we were quite surprised at seeing the quantity of warlike

stores, including a pile of heavy guns (not mounted) which the troops had left behind them, and which will, of course, be turned to account by their opponents.

The troops were now confined to the citadel and Fort Salvador, and during the rest of the day after their discomfiture there were no further hostilities.

With reference to future mercantile claims for indemnification I will mention that during the contest a part of the Porto Franco (or Government bonded warehouse) occupied by the merchandise of Mr. Smithson, an English merchant, was set on fire by a shell distinctly from the citadel, and burnt with its contents. And it was only by the exertions of the insurgents, aided by those of the foreign men-of-war here at present, that the fire was extinguished in the night without having spread to other and more valuable deposits. I have since seen several other shells from the citadel strike it.

In the forenoon of the next day (Wednesday 23rd) The United States' ship *Princeton*, came into the harbour for a few hours, Captain Robb and myself being on board of her. My intention was, now that there was a satisfactory line of demarcation between the parties, to endeavour to re-establish peaceable relations between them.

Suddenly without the least warning and with no apparent cause, the citadel and Fort Salvador opened a fire of shot and shell on the town, directing their missiles sometimes at particular points of the Marina and its houses, and sometimes at more distant places.

Being at that town in a most favourable position in the centre of the harbour, we could not make out what had induced the General to recommence a bombardment or what object he had in firing at the town.

By personal inspection as well as by careful inquiries, I have ascertained that there were no commencement of batteries to induce him to fire for their destruction. This fire of heavy guns was continued without intermission during that day, through the whole of last night and great part of this day, ceasing temporarily only this afternoon; and up to this moment I cannot make out any motive or justification in policy or warfare for the renewed bombardment. It has added a deeper intensity to the aversion of all classes of the Sicilians to the Neapolitan army and to the Government; and as in their participation of this feeling the other towns of Sicily are sending succours to Messina for the great struggle which they expect to be fought here for Sicily, I do not at present see how affairs are to be brought to a peaceable settlement here.

Yesterday 3 Neapolitan men-of-war steamers arrived from the northward and communicated with the back of the citadel, landing some artillerymen and also General Pronio, who comes to replace General Cardamone in the command of the King's forces.

By report and by the tenor of a letter he has just sent to the Comitato, his line of conduct is, it is said, to tend still more to severity than that of General Cardamone, a course which will probably, under present circumstances, put the climax to the series of erroneous measures which have here been prejudicial to the royal cause.

It is probable that the preparations of the insurgents will be completed about Saturday, so that they will be enabled to begin their fire on that day or soon after.

The citadel is so strong that if the troops stand firm and are well commanded, I don't think the insurgents will be enabled to take it; but where, as in this case, a whole nation is unanimous, and all are zealously working for one object, while their opponents are in a very different condition, it would not surprise me to see a different result come to pass.

I have, &c.

Vice-Admiral Sir W. Parker.

H. J. CODRINGTON.

(*Inclosure 2.*)—*Captain Codrington to General Pronio.*

SIR,

Thetis, Messina, February 26, 1848.

YESTERDAY at half-past 11 A.M. I received your Excellency's reply,* dated on that day, to my letter to you of the 24th,† representing the fact of the citadel under your orders having opened its fire on the insurgents while a boat that you had sent to me with a flag of truce was still on its way to me. It is not for me to remark on your Excellency's explanation, beyond stating that I still remain of opinion as before on that subject.

With reference to your Excellency's second letter of that date (25th)‡ I have some remarks to make. On receiving a verbal message from you, through the Neapolitan officer, Lieutenant Acton, expressing your earnest desire to come to amicable terms with the insurgents, and requesting me to endeavour to arrange on board of this ship a conference between the Comitato on one hand, and certain military and naval officers on the other hand to be deputed by you, I at once acceded to your wish, made the necessary arrangements for it with Lieutenant Acton, and the British Consul at my request went to the Comitato for a similar purpose. I followed him on shore, and was myself in the town, trusting that a regard to good faith and to the mission on which you had employed the services and character of the British flag would have prevented you from recommencing hostilities while you were requesting me to bring about a meeting for peace.

Being in the neighbourhood of the Piazza Austria at the time, I can testify to the little expectation on the part of the people and

* Page 771.

† Page 770.

‡ Page 772.

their indifferent preparations at the time for the sudden sortie of the troops under your command from the citadel.

The letter informed me that as the insurgents had thrown up 2 batteries, you intended to use all the means at your disposal to destroy them, but you do not mention the fact that you had previously thrown up on the Terra Nova, outside of the entrance of the citadel, a strong field-work armed with 2 guns, much more formidable, you as a military officer must be well aware, to the insurgents, than their rude unskilful attempts can be to such a work as the citadel.

Finally, I must remark that this letter nominally announcing to me your Excellency's intention of recommencing action, was delivered to an officer of this ship then on duty near you, while he was in the citadel itself, at half-past 5 P.M., whereas the sortie under your orders had already been carried into effect at half-past 3 P.M., and as another officer had only just left the citadel there would have been every means for an earlier communication.

I am at a loss how to reconcile all this with the good faith that I had a right to expect; and, therefore, while I still am ready to be the means of transmitting to and from your Excellency and the Comitato all written communications, I will not receive verbal ones, nor in any way personally commit my own character or that of the flag I serve under, in negotiations which repeated experience has convinced me are never likely to be faithfully carried out to a satisfactory conclusion.

It is in this spirit that in reply to a strong representation of the Consuls and merchants respecting the present conflagration of their property in the Porto Franco, I have declined participating in their communication to your Excellency, though I readily forward it to you in safety. Indeed I look upon that matter as one much more for your Excellency's consideration, than that of the foreign merchants, inasmuch as the safety of that property is guaranteed by Treaties with His Majesty the King of Naples, to whom therefore the loss will fall, and as we have distinctly seen that the fire in the Porto Franco has each time been occasioned by the shells from the citadel.

Those gentlemen, as I can testify, have repeatedly endeavoured by every means in their power, but in vain, to obtain from your Excellency's predecessor, the permission to remove to a safer locality the great quantity of very valuable property, the danger to which was well foreseen from the commencement; but now that a great part has already been destroyed by the fire from the citadel, I cannot myself recommend to them any proceedings likely to diminish the responsibility of the Government of His Majesty the King of Naples or the officers acting under their orders.

With reference to the paragraph of your letter informing me that you will stop firing as soon as I inform you that the arrangements for a meeting are complete, I have to inform you that when the firing has ceased, and not before, will I ever even transmit any communications.

I have, &c.

General Pronio.

H. J. CODRINGTON.

(*Inclosure 3.*)—*Lord Napier to the Duke of Serra Capriola.*

Naples, February 1, 1848.

THE Undersigned, Her Britannic Majesty's Chargé d'Affaires, has the honour to state to his Excellency the Duke of Serra Capriola, &c., that he has received from the officer in command of Her Majesty's ship *Thetis*, at present stationed at Messina, an official relation addressed to Vice-Admiral Sir William Parker, extract of which is inclosed herewith in translation, from which it appears that, on the 29th of last month, that city was made the object of a general bombardment directed from the citadel and forts, and from the Neapolitan steam-vessel of war *Carlo III.*

The Undersigned, considering that this act of deplorable severity was perpetrated by the military authorities of Messina in defiance of a promise given by the General Commandant to the officer of Her Majesty's ship *Thetis*, that no bombardment should take place without due warning to foreign residents, which was not given, and that if it became inevitable, the fire should only be directed against points occupied by insurgent parties at posts of offence, which was not observed, and that General Cardamone, did not interfere to arrest the measures of his subordinates, which he might easily have done, hereby holds the Neapolitan Government responsible for all prejudice or damage that British subjects may have suffered in their persons or property by such bombardment, and reserves to Her Britannic Majesty's Government a full right to claim indemnification for the same.

The Undersigned, &c.

The Duke of Serra Capriola.

NAPIER.

(*Inclosure 4.*)—*Protest of the Consular Body at Messina against the Bombardment.*

SIGNOR INTENDENTE, (Translation.) *Messina, January 26, 1848.*

By your official letter of yesterday's date addressed to us the Undersigned respectively, we are made acquainted with the tenor of the communications of the General commanding the forces, respecting the guarantee offered to the Consuls and subjects of those nations which are connected with His Majesty's Government by bonds of alliance.

The Undersigned, reserving to each of their body the office of answering separately the questions of the General Commandant, consider it their duty collectively to protest against the interpretation which the General appears to give to the CXth and CXXIIIrd Articles of the Law of January 16, 1831, upon which, according to your official letter of the 12th instant, he founded his resolution of declaring the city in a state of siege as soon as any tumultuous disorders should take place.

It appears from the words of the General, quoted in your letter of yesterday's date, that he intends to discharge missiles upon this beautiful city, although undefended and exposed, and to bombard it.

If in justification of so violent and barbarous an act the General appeals to his own private instructions, the Undersigned cannot do otherwise than protest with all their force as they now do in anticipation, and they hold the General and the King's Government responsible for any loss which may be suffered by the nations which they represent, whether directly or indirectly, in their persons or in their property, whether movable or immovable.

But if the General refers as he has already done to the Law of January, 16, 1831, as a cause for his declaring the city in a state of siege, the Undersigned cannot imagine how the General can have supposed himself to have the right to bombard an undefended city, because a declaration of a state of siege, far from requiring or justifying a bombardment according to the customs of all the civilized nations, entails no other consequences than those expressed with much exactness and detail in the following articles of the above-mentioned law, which are entirely foreign to the idea of repressing sedition in an exposed city by the horrors of a bombardment.

We beg you to acknowledge the receipt of this protest, and remain, &c.

No. 15. — The Secretary to the Admiralty to the Right Hon. E. J. Stanley.
SIR,

Admiralty, March 17, 1848.

I AM commanded by my Lords Commissioners of the Admiralty to send you herewith for the information of Viscount Palmerston, copies of 2 letters from Vice-Admiral Sir W. Parker, dated the 1st and 2nd instant, with their inclosures in original, being a correspondence between Captain Codrington, of Her Majesty's ship *Thetis*, and General Pronio, at Messina.

I am, &c.

The Hon. E. J. Stanley.

H. G. WARD.

(Inclosure 1.)—*Vice-Admiral Sir W. Parker to the Secretary to the Admiralty.*

SIR,

Hibernia, at Naples Bay, March 1, 1848.

As various accounts are published of the line of conduct pursued by Her Majesty's ships at Messina and Palermo, I feel it right to put the Lords Commissioners of the Admiralty in possession of all official documents that have passed on which questions may be raised. I therefore inclose for their information the copies of letters between Captain Codrington and the General commanding the royal troops at Messina, on the subject of a firing having occurred between the hostile parties during the period of a flag of truce proceeding to the *Thetis* as a point of communication for the contending parties.

I also transmit the copy of a letter which I have addressed to Lord Napier on the subject of a tricolour pendant being displayed by Her Majesty's ship over the Neapolitan flag on occasions of salutes and ceremonies in which we may have to participate.

I did not of course touch on this subject until the example was set at the palace flag-staff and the different fortresses, as well as the Neapolitan ships of war. But I think the introduction of this constitutional symbol in the shape of the tricolour would be gratifying to the Neapolitans as well as the Sicilians generally, and increase if possible the popularity in which the English are at present held.

I have, &c.

The Secretary to the Admiralty.

W. PARKER.

(Inclosure 2.)—*Vice-Admiral Sir W. Parker to Lord Napier.*

MY LORD,

Hibernia, at Naples, February 29, 1848.

HAVING observed that since the Neapolitan Constitution was confirmed on the 24th instant, all the Neapolitan ships of war and fortresses wear a tricolour pendant of green, white, and red, horizontally divided over the Neapolitan colours, and supposing that it will be acceptable to the Government that the same symbol should be displayed by Her Majesty's ships with the Neapolitan colours whenever they may be hoisted on any occasion of salute or compliment; I beg the favour of your Lordship to ascertain what the feelings of the Government may be on this subject, that similar colours may be prepared for display by Her Majesty's ships, if not unacceptable.

I have, &c.

Lord Napier.

W. PARKER.

(Inclosure 3.)—*Captain Codrington to General Pronio.*

SIR,

Thetis, off Messina, February 24, 1848.

I HAVE to inform you that the boat, with its officers and crew, that were sent to me by you under a flag of truce with a letter from yourself to the Comitato reached this ship this evening, having

narrowly escaped being interrupted by the Messinese gun-boats in consequence of the fire being re-opened from the citadel. As it would be highly dangerous to the boat to return to you to-night, under these circumstances I have allowed her to remain on board of this ship for the present, intending to see that she reaches you in safety to-morrow morning.

But I must draw your attention to what I consider a most extraordinary thing amongst civilised nations, namely, that shortly after you had dispatched a flag of truce to bring me an official communication to be sent through this ship to the Comitato, the citadel under your command re-opened its fire on a community which during the last 20 hours of this second bombardment had refrained from returning a shot.

Should you think fit to hold any further communications under cover of a flag of truce, I trust that a regard for the lives of those who are the bearers of it will induce you to conform to the rules of civilized warfare usual in such cases, as otherwise it will be almost impossible for me to protect from its assailants that which will not then be a flag of truce.

I have, &c.

General Pronio.

H. J. CODRINGTON.

(Inclosure 4.)—*General Pronio to Captain Codrington.*

SIR, (Translation.) *Citadel of Messina, February, 25, 1848.*

HAVING read the contents of your letter of yesterday, received by means of Mr. Acton, I hasten to reply that the guns heard while the boat was under a flag of truce were two fired in return for one fired from the city whilst the orders had been given to cease firing to cause the flag of truce to be respected.

Yesterday evening at a late hour the citadel was obliged to fire two shots at a part of the arsenal of the Marina, as there were there many lights, indicating that military operations were being carried on.

Having taken command of this place and wishing to avoid an useless effusion of blood, which can only bring injury to the cause of the Crown, of the country, and to the common cause, I could wish that all parties should act in accord, bearing well in mind that at the time negotiations are being carried on at the capital for the common good, these might be broken off by scenes so contrary to the present public spirit.

In order that you may be better acquainted with my intentions, I inclose a copy of my manifesto, sent yesterday to the Committee of Messina through you.

Captain Codrington.

PAOLO PRONIO.

(Inclosure 5.)—*Vice-Admiral Sir W. Parker to the Secretary to the Admiralty.*

SIR, Hibernia, Naples Bay, March 2, 1848.

As Lord Minto is dispatching a messenger to England, I avail myself of the opportunity to forward, for the information of the Lords Commissioners of the Admiralty, the copies of communications which have passed between Captain Codrington, of Her Majesty's ship *Thetis*, and the Neapolitan General commanding the Royal troops at Messina, in continuation of his correspondence forwarded in my letter of the 1st instant.

2. The Neapolitan troops made a sortie from the citadel on the 25th ultimo, without succeeding in their object of recovering the outworks which had been taken by the insurgents, who on the 28th February (the date of my latest private accounts) had several batteries of mortars and guns playing on the citadel, but I believe they are now aware that the fortress is too strong to be reduced by the means they possess.

3. I understand they have sent a communication to this effect to the General Committee at Palermo, and that they are more disposed to submit to terms of accommodation by which peace may be restored.

4. It was supposed that the number of casualties had not exceeded 6 killed and 30 wounded on each side.

I have, &c.

The Secretary to the Admiralty.

W. PARKER.

(Inclosure 6.)—*General Pronio to Captain Codrington.*

SIGNOR COMMANDANT, (Translation.) *Citadel, February 25, 1848.*

I HAVE received through Lieutenant Acton a verbal reply to the letter sent by me this morning, and I am waiting for information relative to the reply of the Comitato of Messina as to holding the proposed conference.

In the meantime two batteries having been constructed on the part of the city in the course of last night and this morning, one before the gate of Terranova and the other towards the Fort Gonzaga, I am under the necessity of destroying them.

I shall therefore begin to fire upon them, and when you inform me that a conference is determined on, I will immediately suspend all hostilities.

Captain Codrington.

PAOLO PRONIO.

(Inclosure 7.)—*Captain Codrington to General Pronio.*

[See Page 766.]

No. 16.—*Lord Napier to Viscount Palmerston.*—(Rec. March 24.)
 MY LORD, *Naples, March 9, 1848.*

WITH reference to my despatch to your Lordship of the 29th ultimo, inclosing copy of an instruction to Her Majesty's Consul at Messina, requiring information relative to the burning of the Porto Franco at that city, I have the honour to inclose herewith copy of Mr. Barker's reply, and extract of an official letter from Captain Codrington to General Pronio, communicated by Vice-Admiral Sir William Parker, in the same sense.

In consequence of the tenor of these communications I have addressed the accompanying note to his Excellency Prince Cariati, holding the Neapolitan Government responsible to that of Her Majesty for the damage inflicted on the property of British subjects.

I have, &c.

Viscount Palmerston, G.C.B.

NAPIER.

(Inclosure 1.)—*Consul Barker to Lord Napier.*

(Extract.) *Messina, March 6, 1848.*

YOUR Lordship's despatch of the 29th February reached me this morning.

Referring to my letter of the 4th instant, sent to Naples by Her Majesty's steamer *Odin*, it is evident I was aware some apology was necessary to your Lordship, since it will be hardly possible the nature of my active duties should be known, so far off as Naples is from the scene of action, and the moving a mile and a half from my dwelling-house in the city on the 17th February, opposite to Her Majesty's ship *Thetis*, after suffering the most annoying bombardment for two hours from the citadel. Till that time the house had escaped shells and balls, but it has since suffered considerably. My books and sundry matters necessary in the office were left behind; thus I have been impeded in the discharge of my duty.

I herewith inclose to your Lordship sundry printed papers which will detail many of the occurrences that have passed, and subjoin a statement of events happening since the 22nd ultimo.

On the 23rd the citadel and Fort Salvatore without any provocation opened a fire upon the town, directing indiscriminately their missiles; it continued the whole of that day and night, with short intervals; it was followed the greater part of the subsequent day. On the 23rd 3 Neapolitan war-steamers landed some artillerymen in the citadel, and General Cardamone was replaced by General Pronio in the command of that fort.

On the 25th the soldiers made a sortie, but the insurgents obliged them to retreat into the citadel.

In the afternoon of the 26th the soldiers again attempted to make a sortie, while the citadel and Fort Salvatore directed their

fire of shot and shell to some of the heights around the city suspected of being fortified by the insurgents.

On the 27th the citadel and Salvadore opened their fire upon the batteries of the revolvers, who in return kept up a brisk fire against those forts.

On the 28th and 29th, after many vain attempts of the people to extinguish the fire in the Porto Franco, the merchants and my son Robert, from 7 P.M. to 4 A.M., notwithstanding the shot from the citadel against that spot, succeeded to remove to a safe place such goods as had not yet been burned.

From the 1st of March up to this date the citadel and Fort Salvadore, with short intervals, continue to throw their missiles on certain particular points of the town suspected of being fortified by the insurgents, and against the streets leading into the Marina, which have been barricaded.

The soldiers abandoned the Porto Franco on the 22nd ultimo, but that place has never been occupied by the Sicilian forces, nor did they ever show the least inclination to do so.

The Porto Franco is not in the line of fire from the citadel towards any other position beyond or above it, and it is my firm opinion that it was wantonly and deliberately set on fire by the garrison of the citadel.

I shall in due time forward to your Lordship an enumeration and estimate of the various losses incurred by British subjects and foreign merchants who hold British property, by the burning of the Porto Franco and by the fire of the citadel and other forts.

The principal heights around Messina have been well armed with heavy guns and mortars by the insurgents, and to-morrow they will attack the citadel and Fort Salvadore.

Lord Napier.

W. W. BARKER.

(Inclosure 2.)—Captain Codrington to General Pronio.

(Extract.)

February 29, 1848.

I now come to your assertion, in contradiction to my letter, that the Porto Franco was not set on fire by the shells from the citadel, but that it was the work of some incendiary on the side of the people, and subsequently of the shells fired at the citadel from the Noviziato. As this is a direct contradiction to my former statement, I beg your Excellency to take notice that on the 22nd I myself, as well as other officers of this ship, besides officers of other nations, distinctly saw the citadel fire shell on the Porto Franco which hit it, and which occasioned the fire which instantly broke out at the very spot where the shell had exploded.

On that occasion the fire was extinguished at night by people sent by the Comitato, some of the foreign Consuls, as well as the

boats and pumps of the foreign ships, being present, together with myself at the time.

On that occasion as on several subsequent visits I found the storehouses of the Porto Franco carefully locked and properly secured by its usual guardians, and I have not observed any signs of pillage there.

On the 23rd the citadel and St. Salvatore, without one minute's warning to any one, again commenced a bombardment of the town, which was continued from before 11 A.M. through the rest of that day and night, and with short intervals during a great part of the next day. On this occasion also we again distinctly saw shells fired from the citadel strike the Porto Franco, explode in it, and set it on fire, and this was at a time when, in consequence of the Comitato having ordered their fire to be reserved, no missiles were being thrown from the town against the citadel.

This has again repeatedly occurred since then, and in spite of the assurance in your letter of the 28th that you had given orders that no molestation should be given to the operations of the merchants in endeavouring to extricate their property. I have myself, when on the spot yesterday, seen the workmen while endeavouring to extinguish the fire for that purpose, driven away by a fresh discharge from the citadel.

This is no mere assertion but a solid testimony that we depose to.

Your Excellency will excuse my taking no notice in future of assertions impugning the truth of these statements.

Your Excellency asserts that the Porto Franco was fired by shells thrown at the citadel from the batteries on the Noviziato. You will see how completely you have deceived yourself when I tell you that I examined those batteries myself yesterday (as no firing was going on), and that there was not then, nor had been from the beginning, one single mortar or gun throwing shells placed on that spot. Shot have gone to you from thence, but no shell as yet.

General Pronio.

H. J. CODRINGTON.

(Inclosure 3.)—*Lord Napier to Prince Cariati.*

Naples, March 9, 1848.

THE Undersigned, &c., has the honour to convey to his Excellency the Prince of Cariati, &c., extract of a despatch which the Undersigned has received from Her Britannic Majesty's Consul at Messina, in answer to particular inquiries addressed to him by the Undersigned, and by which it appears that the Porto Franco of Messina has been intentionally and wantonly set on fire by a bombardment directed upon it by the citadel in the absence of all provocation or necessity which could justify such a measure, and

that a great amount of merchandize belonging to British subjects has been thus destroyed.

The Undersigned has also the honour to add the accompanying extract of an official letter from Captain Codrington, of Her Majesty's ship *Thetis*, to General Pronio, communicated to the Undersigned by Vice-Admiral Sir W. Parker, containing a deliberate statement to the same purpose.

The Undersigned is consequently under the necessity of protesting against the bombardment of the Porto Franco of Messina, and reserving to Her Britannic Majesty's Government the right to demand compensation for all losses and prejudice in their persons and property which British subjects may have incurred thereby.

The Undersigned, &c.

Prince Cariati.

NAPIER.

No. 17.—Lord Napier to Viscount Palmerston.—(Rec. March 24.)

MY LORD,

Naples, March 11, 1848.

By a private letter from Captain Codrington of the 9th instant, I am informed that on the arrival of Her Majesty's ship *Porcupine* at Messina, with intelligence of the concession of the Constitution of 1812, and the departure of the Earl of Minto for Palermo, a short suspension of hostilities, on the part of the insurgent forces, was obtained.

The General Commandant of the citadel at once agreed to the cessation of firing, but the fort of St. Salvatore was reduced to silence with much difficulty and reluctance.

The Committee would not perhaps have been averse to an armistice, but they were intimidated by the populace in the streets, who brandished their arms and shouted "Guerra! guerra!"

On the morning of the 9th instant a meeting was held on board Her Majesty's ship *Thetis* between the chiefs of the Comitato and the King's Envoy, which resulted in a resolution to continue the war. The flag of truce was accordingly hauled down and the batteries opened on both sides.

Captain Codrington is, however, of opinion that a truce might be established by orders to that effect from the General Committee of Palermo, which it is to be hoped will have been already obtained by the Earl of Minto.

I have hitherto received no intelligence from the Earl of Minto.

The news of the revolution at Paris had reached Messina before the arrival of Her Majesty's steam-ship *Porcupine*.

I have, &c.

Viscount Palmerston, G.C.B.

NAPIER.

No. 18.—Lord Napier to Viscount Palmerston.—(Rec. March 30.)
 MY LORD, *Naples, March 15, 1848.*
 I HAVE the honour to submit to your Lordship herewith copy and translation of a note from his Excellency Prince Cariati, promising an investigation into the causes of the damage inflicted on the Porto Franco of Messina. I have, &c.
Viscount Palmerston, G.C.B. NAPIER.

(Inclosure.)—Prince Cariati to Lord Napier.
 (Translation.) *Naples, March 14, 1848.*

THE Undersigned, &c., has received the note of the 9th instant addressed to him by Lord Napier, &c., inclosing an extract from a report of the English Consul at Messina, in which it is asserted that the Porto Franco of that town was purposely and wantonly set on fire from the citadel.

The reports from Messina which have reached the King's Government state, on the contrary, that the burning of the goods deposited in the Porto Franco was caused by the fire of the insurgents.

The King's Government in no way wishes to throw a doubt upon the assertions of the Consul and of an officer in the British Royal Navy, but supposes that such difference of opinion must be caused by the difficulty of getting at the truth in moments of such popular excitement; but when the passions shall have subsided it will not be difficult to ascertain the real facts, and the King's Government will make a point of acting according to the dictates of the strictest justice.

At the same time the Undersigned must observe to Lord Napier that it cannot be imagined that the Commandant of the citadel should have wantonly or inconsiderately set fire to the goods deposited in the Porto Franco of Messina; but on the contrary it must reasonably be supposed that the absolute necessity of providing for the defence of the fort and of destroying some works which were erected thereabout to act against it, forced him to direct his fire upon that quarter.

In this uncertainty the Undersigned cannot do more than assure Lord Napier that when the facts shall have been ascertained, the King's Government, animated by sentiments of fairness and goodwill towards the subjects of Her Britannic Majesty, will act according to the strictest justice, and does not doubt that from the relations of friendship and goodwill which exist between the 2 Governments, every question will be settled to the mutual satisfaction of both parties.

The Undersigned, &c.

Lord Napier.

E. TARGIONI.

No. 19.—*The Secretary to the Admiralty to the Right Hon. E. J. Stanley.*
(Extract.) *Admiralty, March 30, 1848.*

I AM commanded by my Lords Commissioners of the Admiralty to send you herewith, for the information of Viscount Palmerston, a copy of a letter from Vice-Admiral Sir William Parker, dated the 14th instant, with its inclosure in original, relating to the state of affairs in Sicily.

The Right Hon. E. J. Stanley.

H. G. WARD.

(Inclosure 1.)—*Vice-Admiral Sir W. Parker to the Secretary to the Admiralty.*

(Extract.) *Hibernia, at Palermo, March 14, 1848.*

THE accompanying copy of a letter from Captain Codrington will put their Lordships in possession of the occurrences at Messina since his last report transmitted in my letter of the 2nd instant.

The Secretary to the Admiralty.

W. PARKER.

(Inclosure 2.)—*Captain Codrington to Vice-Admiral Sir W. Parker.*
SIR, *Thetis, Messina, March 7, 1848.*

SINCE my last letter to you of the 24th February, events have not on the whole progressed quite so rapidly as I then thought probable.

After the taking of Fort Real Basso and the gaining possession of the Terra Nova lines and the arsenal on the 22nd, the insurgents remained for some time in comparative inactivity, instead of using the most obvious military precautions for securing the fruits of their success by blocking the troops up in the citadel into which they had prematurely taken refuge in their hurried retreat on the 22nd.

For about 24 hours after their loss of the Fort Real Basso and the position of Terra Nova, the garrison probably, from its disordered state, did not fire a shot. This valuable time was not taken advantage of by the insurgents.

About 4 A.M., on the morning of the 23rd, as before mentioned, the citadel and Salvatore (General Cardamone still being in command) commenced a bombardment of the town, which lasted all the rest of the day and through the night, and with partial intervals, most of the next morning. Being with Captain Robb in the centre of the harbour at the commencement of it, we distinctly saw the shot and shell deliberately and repeatedly fired at the Marina in various places, and at the Porto Franco, or Government bonded warehouse, containing great quantities of merchants' property, which was again, as on the 22nd, set on fire by the shells from the citadel. There were not at this time in those places any batteries or offensive preparations which could have provoked such

a fire; and I can only attribute it to a spirit of retaliation on the part of the troops for their recent defeat by the insurgents.

General Pronio, who had arrived by the war steamer on the 23rd, while the firing was going on, took the command over General Cardamone; but still the firing did not cease till the afternoon of the 24th, and then only temporarily. To all this firing, with the exception of a few shot at first, the insurgents did not reply, the Comitato having ordered the fire to be reserved. This and their want of apparent activity, and their neglect of obvious advantages, seemed to have had the effect of restoring the confidence of the troops; for, after throwing up an outwork on the Terra Nova in front of the citadel gate, and arming it with 2 guns, the garrison suddenly made a sortie in force on the 25th, before any preparations were complete on the part of the insurgents, and when they did not in the least expect it. Apparently the object was partly a reconnaissance and partly a desire to regain a position outside, if not to capture guns, &c.

An advanced position was regained and secured by subsequent measures which previous activity on the part of the insurgents would have prevented. At the time of the sortie the citadel and Salvadore commenced what I may call the third bombardment; but since this time, though various parts of the town have been constantly hit by shot and shell, and private houses here and there quite ruined, the firing from the King's forces has somewhat altered in character, being now pretty generally confined to those places which, whether justly or no, they suspect as batteries or hostile works in construction.

As the missiles from the citadel and particularly Salvadore had frequently found their way up the streets leading from the Marina into the town, rendering some of the crossways insecure, the insurgents raised barricades to screen the most dangerous parts. San Salvadore probably mistaking these for batteries kept up a continual fire of shot and shell on them, which damaged those parts of the town, and at first occasioned a slight loss of life.

From the 25th February to the 6th March the insurgents were occupied in constructing and arming, as well as their means would allow them, batteries of guns and mortars on the most favourable positions available to them for acting on the citadel and Salvadore; while the garrison being well aware of their operations, from observations and from the information of spies, annoyed them much from continual shell-firing, which, as their practice was never interfered with by any return, gradually became very exact.

On the evening of the 6th the preparations on both sides were pretty complete. The garrison had received fresh supplies and

reinforcements by the continual arrival of steamers, and the insurgents had received powder, men, and money from Palermo, &c.

Had any proposals of arrangement come from the King's Government at Naples during this interval, possibly all further hostilities might have been stayed; but the insurgents finding that every fresh steam-frigate from Naples brought supplies for the citadel, but no proposition of an accommodation with them, became more thoroughly than ever convinced that the King's Ministry were dealing insincerely with Sicily, and having been exasperated to the greatest pitch by the continual firing from the garrison, resolved to wait no longer.

On the 7th at dawn they opened a fire from their various batteries on the citadel and Salvatore, which the garrison returned, and during the whole of the day the fire of shot and shell has been kept up on both sides with spirit, the cannonading only ceasing after dark.

As nearly as I can compute about 5,000 projectiles were discharged on this day. The general result is decidedly to the advantage of the insurgents. Though one of the batteries was for a short time silenced it was re-opened, and the rest continued their fire unchecked, and with a very decided effect on their opponents. The citadel is in itself too strong to have suffered as yet to any serious extent, but San Salvatore was so perseveringly plied with shot, especially the round part which had previously so annoyed the town, that its return fire was comparatively feeble, and the outer wall of the casement battery at its end was fast crumbling down. The buildings in that fort, some of which were the quarters of the troops, were ploughed up by a raking fire from the insurgents' battery taking them in reverse, and it is my belief that a sudden escalade at night by a body of resolute men would have carried the fort itself with very slight loss.

(8th March). During last night the firing having ceased, both parties prepared for renewing the struggle by repairing the batteries, placing more guns, &c. At half-past 9 A.M., the insurgents recommenced action, the garrison soon replying, the general result being similar to that of yesterday in the continued effect on Salvatore, though 3 or 4 of its guns in sheltered positions still go on.

It is almost impossible at this distance to ascertain the effect on the citadel, but from the number of shot and shell that have been seen to fall within its walls, it must be of some importance to life, though the defences are not visibly injured. In the forenoon the insurgents' shells occasioned a conflagration in the buildings of the citadel which lasted for some time.

I have at present no means of ascertaining the number of casualties on the side of the garrison, but amongst the insurgents the amount of killed and wounded is small considering the vast expenditure of missiles employed against them. I may roughly estimate their loss in all as about 20 or 30 killed and about 80 wounded. This includes the whole contest.

In the afternoon I received from Her Majesty's ship *Porcupine* your order of the 7th, and at once sent Lieutenant Horton to convey to the citadel, under a flag of truce, the Neapolitan officer who came in her with despatches, while Lieutenant Boyd, accompanied by Mr. Robert Barker, of the British Consulate, carried similar information from me to the Comitato.

The General at once agreed to the proposal for a cessation of firing, preparatory to a more permanent pacification; but on the part of the insurgents, even if the Comitato had been inclined to put into execution a proposal on those terms (which they were not now, in the present advanced state of things), the people would never have let them do so, from the excited state of the feelings of the whole population against the Neapolitan garrison.

Having received an intimation of this nature from the Comitato I transmitted it in a letter from myself to the General, which was delivered to him shortly after 5 P.M., and then I felt myself obliged, though with great reluctance, to haul down the flag of truce and watch for some more favourable opportunity for endeavouring to bring on peaceable measures.

Hostilities then recommenced (the insurgents firing first), and continued till dark.

(9th March). In consequence of a request conveyed to me from General Pronio by a flag of truce, I succeeded in arranging a meeting on board of this ship between the Capitano Gagliardi, the officer brought in the *Porcupine* on a mission from His Majesty the King of Naples, and the Comitato of Messina. The discussion was animated and the conference long, but the Comitato would not agree to an armistice on the terms proposed, unless orders to that effect reached them from the Comitato Generale of Palermo, under whose instructions they are acting at present. Hostilities were consequently resumed in the afternoon, continuing till dark, but the result of this day's firing was more to the advantage of the garrison.

(10th) Both parties repairing damages and making preparations. Only one or two shots fired by the garrison.

(11th). The same as yesterday. The insurgents commencing the removal of the heavy guns from Fort Real Basso to more favourable positions on the high grounds.

(12th). The same as yesterday, only one or two shots being fired by the garrison.

Yesterday I visited all the batteries of the insurgents while no firing was going on; several have been a good deal injured, and some of the mortars dismounted or disabled by the failure of beds or platforms; but after some days these may be expected to be replaced in comparative efficiency again. But as the garrison are now well aware of all their opponents' positions, and have been themselves making still more efficient preparations, I don't yet see the likelihood of the citadel being compelled to yield by force.

In the meantime it is due to the Comitato to say that the peace and order of the town have been completely maintained; unarmed people being able to traverse any part of it in perfect safety by day or night.

Some time ago they shot 12 (and subsequently more) thieves convicted of plundering, and they have recently sent back to Palermo a band of armed men from thence whose conduct was becoming disorderly in that way. I am sorry to say the town has suffered a good deal, and after a more recent investigation I cannot now acquit the garrison of having up to the very last day of action fired wantonly and indiscriminately on parts of the town which had not given them the least cause of offence or of suspicion.

The neighbourhood of military points of attack must of course suffer, but convents and private dwelling-houses quite out of any line of fire have been repeatedly struck; and groups of unarmed bystanders, women and children, and foreign officers looking on from the hills, have been fired at in an unmistakeable manner.

The consequent exasperation is so great and so universal that I do not think it probable that any officers and men of the Neapolitan garrison will ever be able to walk in the streets of Messina with personal safety.

I have, &c.

Vice-Admiral Sir W. Parker.

H. J. CODRINGTON.

P.S.—There has been no firing to-day except 2 or 3 shots from the citadel.

In obedience to your letter of the 11th, received this morning by *Locust*, I am making arrangements for a conference on board of this ship to-morrow morning, should the weather moderate.

(*Inclosure 3.*)—*Captain Codrington to General Pronio.*

SIR,

Thetis, Messina, March 8, 1848.

I COMMUNICATED by an officer to the Comitato the intelligence brought from Naples this afternoon by Her Majesty's steam-vessel *Porcupine*, the same in effect as that transmitted to you by the officer who was brought to you as a messenger in that vessel from the Government of His Majesty the King of Naples; but it is my duty to inform you that the Comitato and the popular forces will

not accede to the terms proposed, and will probably recommence hostilities immediately. I have, &c.

General Pronio.

H. J. CODRINGTON.

No. 20.—The Secretary to the Admiralty to the Right Hon. E. J. Stanley.

SIR,

Admiralty, March 30, 1848.

I AM commanded by my Lords Commissioners of the Admiralty to send you herewith for the information of Viscount Palmerston, copies of a letter from Vice-Admiral Sir W. Parker dated the 18th instant, and of one from Captain Codrington of the *Thetis*, respecting the contending parties at Messina. I am, &c.

The Right Hon. E. J. Stanley.

W. A. B. HAMILTON.

(Inclosure 1.)—Vice-Admiral Sir W. Parker to the Secretary to the Admiralty.

SIR,

Hibernia, at Naples, March 18, 1848.

I TRANSMIT herewith, for the information of the Lords Commissioners of the Admiralty, a copy of the last report which I have received from Captain Codrington, of the *Thetis*, respecting the contending parties at Messina. I have, &c.

The Secretary to the Admiralty.

W. PARKER.

(Inclosure 2.)—Captain Codrington to Vice-Admiral Sir W. Parker.

SIR,

Thetis, Messina, March 15, 1848.

I HAVE the honour to inform you that the conference alluded to in my letter No. 38, between officers deputed by General Pronio, commanding the citadel, and the members of the Comitato of Messina, was held yesterday and also to-day on board of this ship, and that the parties have finally separated without being able to come to any conclusion for an armistice, owing to their mutual conviction of the impossibility of carrying out faithfully in practice the proposed articles relating to the total cessation from all military preparations and to the partial reprovisioning of the garrison. With reference to the proposition for my guaranteeing their execution, I may add that experience has proved to me that I could not safely have given the guarantee of the British honour for the faithful observance of those terms by both parties. However I am confident that now that both sides seem convinced of the inutility of shedding more blood, and since they have also professed for the future as much mutual forbearance as is possible under the circumstances, there will be quite as little firing with the present understanding as under the most solemnly concluded armistice.

I have, &c.

Vice-Admiral Sir W. Parker.

H. J. CODRINGTON.

No. 21.—*The Secretary to the Admiralty to the Right Hon. E. J. Stanley.*

SIR,

Admiralty, March 31, 1848.

I AM commanded by my Lords Commissioners of the Admiralty to send you herewith for the information of Viscount Palmerston, a copy of a letter from Vice-Admiral Sir William Parker dated the 12th instant, and of its inclosure from Rear-Admiral Sir Lucius Curtis, relative to Her Majesty's ship *Harlequin* being sent back to Catania and Syracuse.

I am, &c.

The Right Hon. E. J. Stanley.

W. A. B. HAMILTON.

(Inclosure 1.)—*Vice-Admiral Sir W. Parker to the Secretary to the Admiralty.*

SIR,

Hibernia, at Palermo, March 12, 1848.

I TRANSMIT, for the information of the Lords Commissioners of the Admiralty, an extract of a letter which I have received from Sir Lucius Curtis, explaining his reasons for sending the *Harlequin* back to Catania and Syracuse, in which I have concurred; and I now inclose a copy of the orders that I have given to Commander Moore during his continuance in that direction.

The *Harlequin* shall be sent to her destination immediately her services can be dispensed with on the coast of Sicily.

I have, &c.

The Secretary to the Admiralty.

W. PARKER.

(Inclosure 2.)—*Rear-Admiral Sir Lucius Curtis to Vice-Admiral Sir W. Parker.*

(Extract.)

March 6, 1848, at Malta.

I INCLOSE a copy of a letter addressed to me, dated the 3rd instant, by Mr. Robert Jeans, Her Majesty's Vice-Consul at Catania, in which he states that the Neapolitan Government having adopted the measure of liberating and letting loose upon society in Sicily the galley-slaves confined in both the insular and continental dominions, has caused apprehensions that the peace of Catania may be disturbed.

Under these circumstances, it is my intention to direct Commander Moore to resume his station off Catania; as also to visit Syracuse as occasion may require, until the elections of the 15th are over, in case of any serious disturbance arising which may affect British subjects and property.

Vice-Admiral Sir W. Parker.

L. CURTIS.

(Inclosure 3.)—*Vice-Consul Jeans to Rear-Admiral Sir L. Curtis.*

SIR,

Catania, March 3, 1848.

I TAKE the liberty of addressing you in the absence of Vice-Admiral Sir W. Parker to express my thanks for the protection

afforded to British interests by Commander Moore during his stay here.

Nor is it to British interests alone that his presence has been a protection. The peace of Catania has thus far been mainly preserved by the moral influence which he has obtained over all classes here.

His departure is a source of serious regret to all ; for, although comparative peace and tranquillity are at present enjoyed here there is no knowing how soon scenes of disorder may again occur.

The late measure adopted by the Government of Naples of liberating and letting loose upon society in Sicily the galley-slaves confined in both the insular and continental dominions is such as to cause apprehension that the peace of this city may be disturbed, for the Neapolitan troops having, by the King's orders evacuated the fortress of Augusta and proceeded to Syracuse, the galley-slaves from the former place, in number nearly 300, have arrived here yesterday and to-day ; and although they have hitherto acted peaceably, yet should they unite with the convicts who have broken out of prison in Catania, and who have been hitherto supported by the Committee, a body of desperate men would be collected who would have it in their power at any time seriously to disturb the public peace. The General Committee of Palermo having issued an order for the convocation of the Sicilian Parliament to meet in Palermo on the 25th instant, the election of Deputies for Catania will take place about the 15th instant, and it is not improbable that if party feeling run high much excitement and consequent irregularity may ensue, the self-constituted authority of the Committee having neither power nor influence to repress any serious disturbance.

The peace of a large province of Sicily being dependent upon the state of Catania, it is of the utmost importance that good order and a regular administration of government be maintained here.

If Her Majesty's ship *Harlequin*, or any other vessel, can be spared for a further period without detriment to Her Majesty's service, a great public good would be conferred, for if outrages recommence here British interests and British commerce must be affected.

I have, &c.

Rear-Admiral Sir L. Curtis.

ROBT. JEANS.

(Inclosure 4.)—Vice-Admiral Sir W. Parker to Commander Moore.

SIR, Hibernia, at Palermo, March 11, 1848.

REAR-ADMIRAL SIR L. CURTIS having intimated to me that it was his intention to replace the *Harlequin* at Catania for the purpose of protecting British subjects and property, with directions that you should also occasionally look into Syracuse, I have now to inform you that an armistice has been agreed on between the Neapolitan

Government and the General Committee at Palermo for an indefinite period, with the understanding that a week's notice is to be given before the renewal of hostilities.

The Neapolitan authorities at Syracuse will have received instructions to this effect by the *Porcupine*, and those acting under the General Committee will be duly apprised by the despatch conveyed by the *Locust*, which you will forward to them as expeditiously as possible, and it is very desirable that you exert your influence for the faithful observance of this armistice by both parties, taking care to note any infringement of it on either side.

You will therefore make your visit to Syracuse a prominent part of your duty in executing the service on which you may be ordered by Sir Lucius Curtis, and Her Majesty's Vice-Consul will be directed to open and act on the contents of this despatch in the absence of any of Her Majesty's ships.

I am, &c.

Commander Moore.

W. PARKER.

No. 22.—*The Secretary to the Admiralty to Lord Eddisbury.*

(Extract.)

Admiralty, September 2, 1848.

I AM commanded by my Lords Commissioners of the Admiralty to send you herewith, for the information of Viscount Palmerston, a copy of a letter from Vice-Admiral Sir William Parker, containing intelligence respecting the state of affairs and proceedings at Messina.

Lord Eddisbury.

H. G. WARD.

(Inclosure.)—*Vice-Admiral Sir W. Parker to the Secretary to the Admiralty.*

(Extract.)

Hibernia, at Naples, August 23, 1848.

THE *Porcupine* was dispatched to Palermo on the 21st with a supply of provisions to the *Odin*, and to collect intelligence from thence, as we have had no direct communication with that quarter for a considerable time.

A letter just received from Captain Robb, dated yesterday at Messina, informs me that on the evening of the 21st instant a Neapolitan steam-frigate grounded outside the lighthouse at Messina: he sent an officer to offer assistance, but it was declined. On the morning of the 22nd, a Sicilian battery opened fire on the steam-frigate, but was soon silenced by the citadel and forts held by the Neapolitans: in the course of the day, however, without any further provocation, the citadel fired several shot and shell into the town, which had remained tranquil since the armistice of the 2nd of May, and several women and children who were following their ordinary occupations have unfortunately fallen victims to this wanton

proceeding. One British subject, an Ionian boy, is amongst the sufferers, having lost a leg.

Captain Robb has called the attention of the General in the citadel to this barbarous proceeding, but I have not time to forward copies of his communications by this conveyance.

The Neapolitan steam-frigate was got afloat on the 23rd.

The Secretary to the Admiralty.

W. PARKER.

No. 23.—Lord Napier to Viscount Palmerston.—(Rec. September 11.)

MY LORD,

Naples, August 30, 1848.

I HAVE the honour to inclose copy of a note to his Excellency Prince Cariati, containing copy of correspondence which passed between Captain Robb of Her Majesty's steam-ship *Gladiator*, and General Pronio, Commandant of the citadel of Messina, relative to the unprovoked and barbarous bombardment of an unoffending portion of that town, on the 21st and 22nd instant, by which several women and children lost their lives, and a poor Ionian boy was grievously wounded.

The explanation of the Minister of War, transmitted herewith, is in the highest degree unsatisfactory and indicative of the atrocity with which the approaching hostilities will too probably be prosecuted.

I have, &c.

Viscount Palmerston, G.C.B.

NAPIER.

(Inclosure 1.)—Lord Napier to Prince Cariati.

Naples, August 28, 1848.

THE Undersigned, &c., with reference to his previous letter on the same subject to his Excellency the Prince of Cariati, &c., has now the honour to inclose herewith for his Excellency's information, an official despatch from Captain Robb, of Her Britannic Majesty's steam-ship *Gladiator*, to Vice-Admiral Sir William Parker, with copy of a correspondence between him and General Pronio, descriptive of the late inhuman and unprovoked bombardment of the town of Messina, which has caused the death or wounding of several innocent persons, mostly women and children, at the public fountains, and among others of an Ionian boy, whose leg has been amputated.

The Undersigned cannot recognize the justice of the reason pleaded by the Neapolitan Commandant in vindication of this singular cruelty, which was not provoked by any act on the part of the Sicilians which could justify an attack upon an unoffending quarter of the town, and which was perpetrated without a moment's warning, in violation of both humanity and custom, which alike enjoin that previous to a promiscuous bombardment advice should be granted to foreigners and unoffending persons to proceed beyond the reach of danger.

The Undersigned trusts that on being made acquainted with these particulars, the Neapolitan Government will cause instructions to be given that the war, if prosecuted, may be carried on in a civilized spirit and with due regard to the persons and property of Her Majesty's subjects and to the safety of women and children and other persons who are not capable of offence or of any active resistance to the troops of His Sicilian Majesty.

The Undersigned, &c.

Prince Cariati.

NAPIER.

(*Inclosure 2.*)—*Captain Robb to Vice-Admiral Sir W. Parker.*

SIR,

Gladiator, *Messina, August 23, 1848.*

SINCE my letter of the 18th instant I have been engaged in correspondence with the Commodore of the Neapolitan force at Reggio, relative to the detention of a Maltese vessel. On the 21st instant a shell burst in the town and killed and wounded several people, most of them children.

It is difficult to account for this act of cruelty from the citadel and Don Blasco, as no firing has taken place from any part of the Sicilian batteries.

On the evening of the 21st a Neapolitan steamer grounded outside the lighthouse where she still remains; I sent an officer to offer assistance but it was declined. Three steam-vessels have been engaged in assisting her but they have not succeeded, but as the water has been smooth I think she may be got off.

On the morning of the 22nd the Sicilian battery of Mare Grosso opened fire on the steam-frigate on shore, which was silenced by Don Blasco and the citadel. In the course of the day, without any apparent motive or provocation, but apparently from a true spirit of revenge, the citadel fired several shot and shell into the town which had from the armistice of the 2nd May remained tranquil.

Mostly women and children are said to be the victims of this vindictive proceeding, and one British subject, an Ionian boy, has been dangerously wounded, and his leg amputated by the surgeon of this ship.

In consequence of this being reported to me by Her Majesty's Consul, I wrote a letter to General Pronio on the subject, which I inclose, and this morning have received an answer on the subject, which I also inclose, not having time to translate it.

I see nothing in a military point of view that can justify the firing into an unarmed town to which the inhabitants and foreign residents had returned, relying on the faith of the armistice having been prolonged, and not a shot or shell having been fired into the town for several months until 2 days ago, and that without any other apparent cause than a feeling of disappointment that the

Sicilians had taken all the guns from the arsenal under the fire of the citadel.

I shall reply to the letter of General Pronio on the broad pleading of humanity, and I can scarcely believe that an officer will wantonly add to the horrors of war by a proceeding so contrary to the clemency which may be expected from the King of Naples and his Government.

I have, &c.

Vice-Admiral Sir W. Parker

JOHN ROBB.

(Inclosure 3.)—*Captain Robb to General Pronio.*

SIR,

Gladiator, *Messina*, August 22, 1848.

I HAVE this day been informed by Her Britannic Majesty's Consul at this place that a British subject resident here (whilst quietly following his peaceful profession) has been severely wounded this morning by a shot or shell fired from the citadel on the Marina.

Such an act of wanton cruelty as that of firing on an unarmed town, and on its peaceful and innocent inhabitants quietly engaged in the prosecution of their domestic duties, without any warlike attack or demonstration on their part, or any pretension or warning on that of your Excellency (circumstances so contrary to the common rules of civilized warfare), cannot be viewed with any other feeling than that of execration by the whole of the civilized world.

Since the commencement of the armistice agreed on between the Neapolitans and the Sicilians of the 2nd of May, in which it was stipulated that until the 20th of that month no hostility should take place between them,—and by the 9th article of that armistice the renewal of hostilities was to have been preceded by a notice of 8 days by either party after that period had expired,—no actual hostility had taken place, nor had there been any firing into the town, except the firing on any new works, offensive or defensive, which had been erected by the Sicilians, and upon the arsenal, until the present period, when the private houses on the Marina and the unarmed buildings in the town have been fired upon.

Relying on the faith of this armistice which had been so much prolonged beyond the period at which it was to have expired, and the renewal of hostilities (except in the cases above mentioned) not having taken place, and trusting in the assurance that the town would not be bombarded without giving sufficient warning to foreigners and others to withdraw themselves and property from it, the foreign inhabitants returned to their habitations in the town and have been peacefully following their avocations for the last 3 months without interfering in any way with the contest going on between the Neapolitans and Sicilians.

I leave it to your Excellency to imagine with what degree of horror and dismay they have beheld the faith which they placed in your Excellency violated by the shots and shells which have been fired into the town yesterday and to-day, and which have killed and wounded so many people, without your having used the common courtesy due to neutral and friendly nations of warning them of your intention, so as to have afforded them sufficient notice to remove from a scene of danger and bloodshed.

In your Excellency's letters of the 25th and 28th of February, addressed to my predecessor here, you deprecate the useless shedding of blood as injurious to the Crown, the country, and the common cause of humanity; yet in opposition to these sentiments, shot and shell have been fired into the unarmed parts of the town without warning, and apparently without any provocation or any justifiable motive.

Having preserved the most rigid neutrality throughout the unfortunate civil contest that has been so long carried on between the Sicilians and Neapolitans, and feeling most solicitous to prevent the further effusion of human blood, I would, without in any way dictating to your Excellency, beg you to consider how far the cause of His Majesty the King of Naples may be promoted by the bombardment of an unarmed town, the destruction of the lives of innocent women and children, and the exasperation and excitement which such a proceeding may have on the minds of the people which were so lately your fellow-subjects and brothers.

In the appeal I thus make to your Excellency I beg to be excused from any intention of dictating, but the circumstance of the blood of a British subject having been thus wantonly shed without any warning or pretence whatsoever, renders my remonstrance on your Excellency's conduct absolutely necessary; and the explanation which must be made from the Neapolitan Government on this, and the circumstances which I shall forward to the Commander-in-chief must place a heavy responsibility on the head of the perpetrator of it.

I beg to request you will be pleased to acquaint me whether it is your Excellency's intention to continue the bombardment of the town, in order that the British residents may remove from it.

I have, &c.

General Pronio.

JOHN ROBB.

(*Inclosure 4.*)—*General Pronio to Captain Robb.*

SIR,

(Translation.)

Messina, August 22, 1848.

HERE is the answer to your letter of this day's date which you did me the honour to address to me, and which you would have had immediately if your messenger had waited a few minutes.

I, who have been invested for full 6 months with the command of a fortress in an exceptional state of siege, have duties to perform in a large sphere towards the august person of my Sovereign, towards the nation, towards the army, towards myself, duties dictated to me by the art of war, by history, and by the conventions of social life.

This morning the citadel did not take the initiative in the fire, it was provoked by the opposite party, who threw projectiles at a steam-frigate belonging to the King my master, which experienced the calamity of running ashore yesterday on this coast, and at military workmen who were employed in getting her off.

The firing from the citadel was in accordance as it has always been with the principles of defence and of military dignity, nor was it divested either in this case or ever of those marks of most extensive generosity which spring from the clemency of my King.

Who it was that broke the armistice of May 2nd is well known to the Government of the King of the 2 Sicilies, to the nation, and to foreigners. The rupture took place on the night of June 5th.

The pointing out to you, even were I so disposed, my future line of conduct, would be an impossibility, as I am ignorant what emergencies may call into play my purely military duties.

The subjects and citizens of foreign nations have had exact, precise, and positive knowledge that this citadel, from the 29th of January last, has been in a perpetual state of war; they know also that war is a scourge and cannot be otherwise defined, and therefore they have been able and have known how, as they are able and do know how, to regulate their conduct so as to protect themselves and their affairs.

Your letter has already been transmitted in the original to the Minister of War of the King my master.

Captain Robb.

PAOLO PRONIO.

(Inclosure 5.)—Prince d'Ischitella to Prince Curiati.

EXCELLENCY, (Translation.) *Naples, August 29, 1848.*

THE reports of General Pronio, Commander of the citadel of Messina, respecting the facts which took place on the 22nd of this month, to which the complaints of the Commander of the English steam-corvette there anchored have reference, reached me before I had received your Excellency's despatch No. 448 of the 26th instant, and having carefully considered the conduct of General Pronio I am convinced that he is not in fault.

It is a certain fact that the Commander of the citadel has upon no occasion taken the initiative in firing. His duty obliged him and always will oblige him to repel offence by answering the fire

of the Sicilians, whether in open attack or from works thrown up against him.

Such conduct is the most moderate that can be expected from a besieged Commander; therefore if in the course of a conflict, which has always been originated by the Sicilians, some loss may accrue to the inhabitants of Messina, whether foreigners or no, the blame cannot certainly be laid with justice on the Commander of the citadel, but rather on the Sicilians who are the aggressors, of which the occurrence of the 22nd is a clear proof. A steam-frigate belonging to His Majesty the King was visited with a heavy calamity and ran ashore. In similar cases, amongst all civilized nations, enemies and friends are mingled together in procuring the salvation of the shipwrecked. The citadel sent a quantity of persons to help the crew, but the Sicilians so far from imitating their example, or from contenting themselves with being spectators in the affair, fired cannon and guns at the persons in danger and the persons who had rushed to their assistance. Upon this evidence of true barbarity on the part of the Sicilians, ought the batteries of the citadel perchance to have been silent and have allowed the crew and their assistants to have been consumed by shipwreck and by the enemy's fire? and if some shot may by chance have done harm to the town or its inhabitants, ought the Commander to be blamed? Such an admission would be an absurdity.

As much could also be said for every other time when the citadel has been obliged to show its force. Not a single war-steamer belonging to His Majesty can pass the Faro, no merchant-ship belonging to the peaceful inhabitants of the continent, nor even a boat, without the Sicilians firing at it and coming out to try to capture it. It would be most blameable on the part of the Commander if he did not effectually oppose them. The Sicilians are perpetually erecting field-works against the citadel, which is in duty bound to demolish them; if therefore the inhabitants of Messina in these conflicts sometimes suffer loss, the Commander of the citadel cannot be blamed.

Lastly, 7 months have now elapsed, in which it is well known to Europe at large that the citadel of Messina has been in a state of siege.

The topographical position of the citadel renders it impossible that the town should not suffer much during an engagement, however great may be the moderation of the General commanding the fort, and the moderation of General Pronio is most remarkable. Therefore the inhabitants of Messina, whether native or foreign, must be prepared to take those precautions for their own safety which they may deem advisable.

I hope your Excellency will have the goodness to consider the observations I have had the honour to lay before you, and after

putting them into what shape you may think best, or even modifying them, will form your answer to the British Chargé d'Affaires from the sentiments which I have expressed.

Prince Cariati.

PRINCE OF ISCHITELLA.

No. 24.—Lord Napier to Viscount Palmerston.—(Rec. September 11.)

(Extract.)

Naples, September 4, 1848.

THE French steam-vessel which arrived here this morning from the southward has brought intelligence from Messina of yesterday's date.

The Neapolitans have landed in the citadel 3,500 men, comprising a body of Swiss, and disembarked on the adjoining shore about 5,000 more for the attack of the defences of the city. The bombardment had continued for several hours, and was directed chiefly towards the interior of the town. The trenches answered with great briskness, and no result, according to Captain Robb's account, was as yet apparent, though he did not expect the Sicilians could maintain such an unequal contest.

A numerous force of steamers and gun-boats had not been able to take any part in the assault, being forced to retire by 4 pieces of Sicilian artillery drawn to the beach to oppose their approach, and the courage of the populace had risen to such a pitch of enthusiasm that it was impossible to witness their efforts without deep emotion and sympathy. The streets were barricaded and mined, and all ranks and classes of either sex seemed animated by an equal spirit of resistance and prepared to die under the ruins.

The country folk had risen in arms, and either poured into the besieged city or formed in groups along the shores to watch the proceedings, and hailed the French steam-vessel as it passed along with shouts and salutations.

As the regular means of communication with Messina will not occur again for 10 days, I shall suggest to Sir William Parker the expediency of sending down one of Her Majesty's steam-vessels for subsequent information.

The inclosed despatch from Her Majesty's Consul at Messina contains an official notification of the recommencement of hostilities on the part of the Neapolitan forces.

Her Majesty's subjects had embarked on board the *Gladiator*.

Viscount Palmerston, G.C.B.

NAPIER.

(Inclosure 1.)—*Consul Barker to Lord Napier.*

MY LORD,

Gladiator, Messina, September 3, 1848.

THE troops are attempting, and I believe have partly effected a landing on the south side of the citadel.

The castle and Fort Salvatore are bombarding the town in every direction. The fire is most awful, and chiefly directed against the dwelling-houses.

The Sicilians are keeping up a brisk fire. I received the inclosed late last night.

I have, &c.

For W. W. Barker,

Lord Napier.

ROBT. BARKER.

(Inclosure 2.)—*Notice to Foreigners to quit the Maritime Towns of Sicily.*

(Translation.)

Reggio, September 1, 1848.

NOTICE to the Foreign Consuls resident in the maritime cities of Sicily as well as to merchants or travellers domiciled in the said cities, or passing through them in the beginning of the month of September, 1848.

If, in pursuance of orders received, the Neapolitan troops shall retake possession of some of the maritime cities of Sicily, and if in so doing they should meet with resistance on the part of the inhabitants which should oblige them to take such steps as the art of war points out, under these circumstances it might happen that the persons and properties of foreigners might be in danger, and they are hereby warned to leave the said cities if they do not wish to incur the dangers above mentioned.

By order, &c.

CARLO PICCENNA,

Lieutenant-Colonel, Head of the Staff.

No. 25.—*The Secretary to the Admiralty to Lord Eddisbury.*

MY LORD,

Admiralty, September 11, 1848.

I AM commanded by my Lords of the Admiralty to send you herewith for the information of Viscount Palmerston a copy of a letter from Vice-Admiral Sir W. Parker, dated at Naples the 4th instant, and of its inclosures, reporting the commencement of operations against Messina by the Neapolitan forces.

I am, &c.

Lord Eddisbury.

W. A. B. HAMILTON.

(Inclosure 1.)—*Vice-Admiral Sir W. Parker to the Secretary to the Admiralty.*

SIR,

Hibernia, at Naples, September 4, 1848.

I REQUEST you will inform the Lords Commissioners of the Admiralty that a French steam-packet from Malta and Messina has just brought me a letter from Captain Robb, of which the inclosed is a copy, reporting the commencement of the operations of the Neapolitan expedition against the latter city.

I shall immediately dispatch the *Bulldog* to Messina to aid Captain Robb in the protection of the English, who I am happy to find by his report are all safely embarked in the *Gladiator*.

I have, &c.

The Secretary to the Admiralty.

W. PARKER.

(Inclosure 2.)—*Captain Robb to Vice-Admiral Sir W. Parker.*

SIR,

Gladiator, Messina, September 3, 1848.

I HAVE the honour to acquaint you that since the sailing of the *Porcupine* on the 30th ultimo the Neapolitan expedition against Sicily has arrived, consisting of 10 steamers and 1 corvette.

The Faro battery fired on all the vessels both night and day on passing the Faro. On the afternoon of the 1st instant about 2,000 troops were landed from 2 steamers and several boats in tow. The French steam-frigate *Panama* arrived from Naples on the 2nd instant; the *Merlin* arrived from Malta and proceeded on to Naples. A Neapolitan steamer passed through the strait with a corvette in tow.

In the afternoon about 1,500 more troops were landed at the citadel, and at sunset the notice was given to the foreign Consuls here which I inclose.* At 6 o'clock this morning the citadel and Don Blasco commenced firing on the battery of Mare Gròsso, the steamers having come over and attacked at the same time. At 7 the Sicilian batteries on the heights opened fire and the troops made a sortie from the back of the citadel, where there were a number of boats to receive them; the firing became general on both sides. All the British residents and foreigners have been received on board, and the steam is up ready to slip if they should come nearer into the port. The *Panama* and *Gladiator* are the only ships of war here.

I had formerly given notice to the British residents here to be prepared to come on board, and they are all in safety.

The whole Neapolitan force engaged is 1 frigate, 10 steamers, 19 gun-boats, and as some more men have been landed from 1 of the ships this morning there may be about 5,000 men landed besides those in the citadel before, in all about 8,000 on shore besides those employed on board the steamers, gun-boats, and frigate.

The soldiers who made the sortie from the citadel are lying on the beach near the lighthouse.

One frigate, 1 corvette, and 2 steamers are at Reggio.

I shall feel most anxious to make you acquainted with further particulars if I can have an opportunity.

I have, &c.

Vice-Admiral Sir W. Parker.

JOHN ROBB.

No. 26.—*Viscount Palmerston to Lord Napier.*

MY LORD,

Foreign Office, September 15, 1848.

WITH reference to your Lordship's despatch of the 30th ultimo, inclosing the correspondence which passed between Captain Robb of Her Majesty's ship *Gladiator* and the commandant of the citadel of Messina, relative to the bombardment of that town, I have to instruct your Lordship to point out to the Neapolitan Government that these letters contain no justification whatever for the attack made by General Pronio on the population of Messina, however the statements made might warrant retaliatory measures of hostility against the Sicilian troops.

I am, &c.

Lord Napier.

PALMERSTON.

No. 27.—*The Marquis of Normanby to Viscount Palmerston.*
(Received September 16.)

(Extract.)

Paris, September 15, 1848.

GENERAL CAVAIGNAC gave me the inclosed copies of telegraphic messages received yesterday and to-day on the affairs of Sicily, and particularly on the capture of Messina. The General stated this to be all the information they had as yet received on this painful subject; that it appeared the horrors with which the combat was attended, and the excesses which both parties seem to have committed, had induced Admiral Baudin to take upon himself the step of requiring from the Neapolitan Commander-in-chief the suspension of hostilities. The French Government had approved this step of the Admiral, which must have been dictated by the imperious calls of humanity. It appeared from the telegraphic message, which was not very clearly worded, that Sir William Parker, moved probably by the same considerations, had placed himself in a similar position.

Viscount Palmerston, G.C.B.

NORMANBY.

(Inclosure 1.)—*Telegraphic Despatch from Toulon.*

Naples, le 10.

L'AMBASSADEUR de France à Naples à M. le Ministre des Affaires Etrangères.

Les détails affreux de la prise de Messine apportés par le *Pluton* ont décidé l'Amiral Baudin à imposer aux 2 parties, au nom de l'humanité, une suspension d'hostilités jusqu'à la décision du Gouvernement de la République. Il m'a prévenu du départ de ses ordres à ce sujet ce matin, ainsi que l'Amiral Parker, qui se joindra à lui.

J'ai averti le Gouvernement Napolitain, qui se plaint très vivement.

Pour Naples l'unité de Couronne, pour les Siciliens, préservés d'une soumission violente, toutes les garanties possibles; telles

sont il me semble les seules bases de pacification qui aient chance de succès.

On a reçu aujourd'hui la nouvelle de la soumission pacifique de Milazzo. On dit que Catane envoie des Députés.

(Inclosure 2.)—*Telegraphic Despatch from Toulon.*

Ischia, le 11 Septembre.

LE Commandant de l'Escadre à M. le Ministre de la Marine et à M. le Ministre des Affaires Etrangères.

Messine a été emporté le 8 après un combat acharné de 5 jours.

Les Commandans des forces Navales Françaises et Anglaises ont fait tout ce qu'il était possible pour prévenir les calamités de cette lutte, ou pour les adoucir. 7,000 habitans, la plupart femmes ou enfans, ont trouvé refuge sous la protection du pavillon Français. Des 2 côtés on a commis des excès horribles. Les détails de cette affaire sont si révoltans que j'ai cru devoir m'opposer formellement à la continuation des hostilités.

Le Ministre de France à Naples a invité en mon nom le Gouvernement Napolitain à se borner à l'occupation de Messine et à s'abstenir de ravager le reste de la Sicile. J'espère que la France interposera sa médiation pour mettre fin à de telles calamités. J'attends vos ordres.

L'Amiral Parker, à qui j'ai annoncé ma résolution relative à la Sicile, me fait savoir que ses vaisseaux seront prêts et qu'il vient de donner des ordres à peu près semblables aux miens.

No. 28.—*The Secretary to the Admiralty to Mr. Addington.*

MY DEAR SIR,

Admiralty, September 18, 1848.

As it is certain Lord Palmerston would wish to see the accompanying letters from Sir William Parker as soon as possible, I send them in original, only begging of you to return them to me as soon as done with.

Yours very faithfully,

H. U. Addington, Esq.

W. A. B. HAMILTON.

(Inclosure 1.)—*Orders issued by Vice-Admiral Sir W. Parker.*

By Sir William Parker, Bart., G.C.B., &c.

THE state of desolation and ruin to which Messina has been reduced by the recent bombardment it has sustained from the Neapolitan forces, has induced a strong representation from Her Majesty's Chargé d'Affaires and myself to obtain a temporary armistice until reference can be made to Her Majesty's Government, with the hope that in concert with Her Majesty's allies some means may be taken to terminate by negotiation the rancorous contest now existing between the Neapolitans and Sicilians.

It has also been intimated that Her Majesty's ships will be prepared to enforce such an armistice if it becomes necessary.

I have reason to believe that Vice-Admiral Baudin has already issued orders to the several captains of the French ships on the coast of Sicily to oppose the continuation of the present hostilities.

Although Lord Napier has not received a formal answer to his appeal made last night I cannot apprehend that it will be rejected.

It is desirable, however, for the greater protection and security of British subjects and their property at Palermo, that you proceed thither without delay in Her Majesty's ship under your command, and impart to the head of the Sicilian Government the position in which affairs now stand, endeavouring to ascertain from them whether they are ready to abide by an armistice of the nature above referred to, provided the Neapolitan Government are willing to enter into such an arrangement, as Her Britannic Majesty's forces can only interpose to prevent the continuation of hostilities upon the understanding that the suspension will be mutual and faithfully observed.

It is my intention to send a steamer to Palermo with further intelligence as soon as I have one available, by which you will probably receive orders for your further guidance.

While at Palermo you are to take the *Odin* under your orders, and before leaving you will complete that steam-ship to a supply of 4 months of bread, rum, tea, chocolate, and sugar.

Given on board the *Hibernia*, at Naples, the 11th of September, 1848.

Armar L. Corry, Esq.,

Captain H.M.'s ship Superb.

W. PARKER.

(Inclosure 2.)—Lord Napier to Vice-Admiral Sir W. Parker.

SIR,

Naples, September 12, 1848.

WITH reference to your Excellency's letter of the 10th instant,* inviting the Neapolitan Government to order an immediate suspension of the war in Sicily, and intimating your intentions in case that advice should be rejected, I have the honour to inclose herewith a note† which I have this morning received from the Neapolitan Minister for Foreign Affairs, in which his Excellency states that until the receipt of further official intelligence he cannot return a conclusive reply to my communication, but in which I am not assured that the required cessation of hostilities will be commanded.

I have, &c.

Vice-Admiral Sir W. Parker.

NAPIER.

* Page 814.

† Page 819.

(Inclosure 3.)—*Vice-Admiral Sir W. Parker to Lord Napier.*

MY LORD,

Hibernia, *September, 13, 1848.*

I HASTEN to transmit, for your Lordship's perusal, the despatches which I have just received from Captain Robb of Her Majesty's steam-frigate *Gladiator*, by which I learn with sincere satisfaction that the General Commanding-in-chief the Neapolitan forces at Messina has, on the joint proposition of Captain Robb and Captain Nonay of the French ship of the line *Hercule*, agreed to a suspension of hostilities and all ulterior military operations on the coast of Sicily, in order to prevent the effusion of blood, until the Governments of France and England, as mediators, can settle the differences which offer themselves to a general peace.

I therefore earnestly hope that the Neapolitan Government will not hesitate to confirm without delay this humane and most desirable measure.

Requesting your Lordship will be pleased to return the inclosures at your earliest convenience,

I have, &c.

Lord Napier.

W. PARKER.

(Inclosure 4.)—*Captain Robb to Vice-Admiral Sir W. Parker.*

SIR,

Gladiator, Messina, September 11, 1848.

I HAVE the honour to acknowledge the receipt of your letter No. 67 and beg to acquaint you, in reply, that I have required from the General Commander-in-chief the guarantee for the security of the British residents which has not yet been given, as the troops, although becoming more tranquil, are not to be depended on.

The flags on all the batteries were struck on the morning of the 6th instant; this, and their not firing a single shot on the morning of the 7th, was the only demonstration made as no longer resisting, and they were afraid to send out a flag of truce.

I have also to acquaint you that no terms of capitulation were proposed, nor any proclamation whatever made by the General before the bombardment began. On the morning of the 9th instant the Neapolitan steam-vessels, gun-boats and frigates entered the Mole. I, in company with Captain Nonay, waited on General Filangieri and the Neapolitan Commodore; the Commodore sent very courteously to invite us to enter the port, but having so many refugees on board I deemed it more prudent to remain outside.

An expedition of 4 steamers went to Milazzo which surrendered without firing a shot, and the *Vesuvius* steam-vessel which had come there with the people of Palermo was captured.

A proclamation of which I send you copies was issued, and from the very loose way in which the IInd Article is worded, it leaves the means of prosecution almost unlimited.

The Municipal Government has been formed and there has been

more tranquillity since, but many houses have been pillaged and people ill-treated, among which are some French, but I have prohibited all leave to go into the town until things are more settled.

As it was very desirable to have the French and English ships cleared of refugees as soon as possible, I ordered Commander Key in the *Bulldog* to-day to Catania, from which place I received the inclosed letter from the Consul, and I felt anxious to prevent the Catanese from exposing themselves to the destruction of their town by the Neapolitans who had sent 3 frigates and 3 steamers in that direction in the morning, and she sailed with the intention of getting there before them. About noon the *Pomone*, French frigate arrived and brought your letters.

As there was no time to be lost I immediately waited on Captain Nonay, and in concert with him went to General Filangieri, and we wrote a conjoint letter (copy inclosed) employing our influence for the suspension of hostilities, and which the General acceded to and sent to his advanced posts, Catania, Milazzo and all along the coast. The French Captain was empowered to menace force in his application, but I declined to do more than engage the mediation of the 2 countries, which the pressing state of the affairs near Catania so much required.

In having employed this influence I hope I have only carried out your wishes in avoiding any compromise, except for the purpose of checking further and unnecessary severities. I feel the great delicacy of my position here, and I trust I have not gone beyond your orders.

The *Panama* goes to Naples and the *Bulldog* will return to-morrow with a report from Catania, when I will send her immediately to Malta unless anything occurs in the meantime. It was our intention to have sent the *Bulldog* to Milazzo and *Panama* to Catania, to prevent a collision during the suspension of hostilities, but the General did not think it necessary, and thought it better to keep the matter secret.

I have heard a more detailed account of the loss of the Neapolitans, which in killed and wounded amounted to nearly 1,500 men. One mine sprung by the Sicilians destroyed 408 Swiss and Neapolitan soldiers, and great barbarities were committed on both sides. The Neapolitans and Swiss in the town have been committing some excesses, but I believe not more than is usual in such cases, but very many have lost everything they possess—are wretched outcasts. The more one beholds the destruction of this beautiful town, the more one deplores the unfortunate feeling of revenge that could have devoted it whilst unresisting to such a destruction.

I beg to inclose a copy of the basis of the conditions offered by the Sicilians which were very inadmissible, and the General

Filangieri's reply ; also some of the proclamations which have been made since.

I have, &c.

Vice-Admiral Sir W. Parker.

JOHN ROBB.

(*Inclosure 5.*)—*Public Notices issued at Messina by order of General Filangieri.*

(Translation.)

Notice. Messina, September 10, 1848.

HIS Excellency Lieutenant-General Prince of Satriano, Commander-in-chief of the army and expedition of His Majesty, has directed me to announce publicly, that from to-morrow couriers will be dispatched for Naples and foreign countries ; and to call upon the Consuls and merchants to cause their respective trading ships to re-enter the harbour, in order to facilitate trade.

The Syndic,

MARQUIS DI CASSABILE.

Notice.

Messina, September 10, 1848.

HIS Excellency Lieutenant-General D. Carlo Filangieri, Prince of Satriano, Commander-in-chief of the army of the expedition, has directed me to announce to the public :

That His Majesty our Lord the King, like a loving father of his people, forgets their past errors, in the certain persuasion that his Sicilian subjects will from henceforward return to that devoted and faithful attachment to his sacred person which has always endeared them to his heart.

His Excellency aforesaid is compelled, by nothing but the want of power, to except from this general and most ample pardon the chiefs of the rebellion and the persons who have stirred up the grave disturbances which have produced such injury to this beautiful island. The latter, nevertheless, by giving evidence of sincere amendment, may retain the hope of finding the same benevolent indulgence from the known clemency of His Majesty.

In consideration of the disastrous position in which Messina stands, owing to the events which have taken place, his Excellency the General-in-chief permits until further orders, the continuance of the suspension of the duty on grinding corn, which is principally paid by the class least wealthy, which is also the most numerous.

It is also declared, by order of his Excellency the General Prince of Satriano, that from this day forward the whole city of Messina within the walls shall be a free port ; and that the suburbs of St. Leone, Boccetta, Portalegni, and Laera, shall enjoy the same privileges, so soon as the inclosing wall shall be completed, which shall from that moment form the entire new circuit of the said free port.

Finally, his Excellency has determined that the Sicilian ecclesiastical authorities as well as the financial and administrative functionaries, shall immediately resume the posts which they occupied at the end of August last year, so that they may without delay enter upon the duties of their respective offices.

As far as regards the magistrates, the judicial authorities, and the re-opening of the tribunals, measures will be resolved on hereafter.

The Syndic,

MARQUIS DI CASSABILE.

Notice. Messina, September 11, 1848.

HIS Excellency Lieutenant-General Prince of Satriano, Commander-in-chief of the army of the expedition, orders that all the inhabitants of this city of Messina and its suburban dependencies, of whatever rank or class they may be, who shall be possessed of fire-arms of any kind whatever, and of military weapons, do give up the same within the absolute term of 3 days, the 12th, 13th, and 14th instant, to the superior officer appointed to receive them, who during the said 3 days will constantly remain in the Senatorial Palace for that purpose, from 8 o'clock A.M. to 5 o'clock P.M.

Those who disobey shall be punished with all the severity of martial law.

The Lieutenant-General,

PRINCE OF SATRIANO.

(Inclosure 6.)—*Vice-Consul Jeans to Captain Robb.*

SIR,

Catania, September 8, 1848.

I AVAIL myself of the departure of a Maltese speronara for Civita Vecchia to inform you of the state of affairs in this place.

Since the news of the attack of the Neapolitan troops in Messina, the alarm here has been considerable, but the enthusiasm both in Catania and the neighbourhood is very great; every one seems to feel that on his personal endeavours hangs the fate of Sicily.

The communication between Messina and this place being intercepted by Neapolitan troops, we have only scanty advice from the seat of war, per telegraph.

About 3,000 men collected in this place and in the neighbouring towns and villages, have up to this time left Catania with the intention of attacking the Neapolitans in the rear, and the Catanese seem confident that these forces will be of much service if they arrive before the Neapolitans make their final attack on Messina.

A determined spirit of opposition to the Neapolitans and to a return to Neapolitan rule, seems prevalent among all classes, and even should the troops of the King of Naples enter Messina, it

strikes me as very doubtful if he be not still very far from reconquering Sicily.

The neighbourhood of this place is defended by barricades, fosses, &c., but I much doubt whether, in its defenceless state as regards artillery, it could hold out for any length of time against a regular invading force.

I have, &c.

Captain Robb.

H. ROBT. JEANS.

(*Inclosure 7.*)—*Captain Robb and Captain Nonay to General Filangieri.*
(Translation.) *Roads of Messina, September 11, 1848.*

THE Undersigned, commanding the ships of the naval stations of England and France, have the honour to notify to his Excellency the General Commanding-in-chief of the Neapolitan expedition, that they are charged by their respective Commanders-in-chief not to molest the possession of the towns of Messina and Milazzo, of which the capture has been made, but they have orders to employ their influence for the suspension of hostilities and all ulterior military operations on the coast of Sicily, in order to prevent the effusion of blood until the Governments of France and England, as mediators, can settle the differences which oppose themselves to a general peace.

The 2 Governments of England and France both up to this date have observed most scrupulously the laws of neutrality, and here they invoke the sacred laws of humanity.

The Undersigned, &c.

JOHN ROBB.

NONAY.

General Filangieri.

(*Inclosure 8.*)—*General Filangieri to Captain Robb.*

M. LE CAPITAINE, *Messine, le 11 Septembre, 1848.*

J'AI l'honneur de vous accuser réception de la note que vous m'avez adressée aujourd'hui même, que je m'empresserai de transmettre au Roi mon auguste Souverain, dont j'attendrai les ordres.

Depuis mon entrée à Messine vous n'ignorez pas que loin de penser à continuer les hostilités, je ne m'occupe qu'à cicatiser les plaies profondes que les derniers événements ont causées, et je vous assure que je continuerai à suivre cette ligne en rappelant mes croisières jusqu'à ce que des informations nouvelles de la part de Sa Majesté viennent m'indiquer la direction que je devrai prendre.

Agréez, &c.

Le Lieutenant-Général,

Captain Robb.

CHARLES FILANGIERI,

Prince de Satriano.

(Inclosure 9.)—*General Filangieri to Captain Robb.*

M. LE COMMANDANT,

Messine, le 7 Septembre, 1848.

CI-DESSOUS la copie des prétendues bases de la capitulation que mon chef d'état-major me remet de votre part. Mon devoir et l'honneur militaire me défendent de les accepter; ce que vous sentirez aussi bien que moi.

Je profite de cette occasion pour vous remercier, ainsi que le Capitaine Nonay, commandant le vaisseau Français *l'Hercule*, de votre médiation amicale, quoique malheureusement infructueuse.

Le Lieutenant-Général Commandant-en-chef,

Captain Robb.

CHARLES FILANGIERI.

(Translation.)

Bases of Capitulation.

THE Royal troops to have possession of the city *de facto*, the question to be decided by the Parliament; honour, life, personal liberty and property to be respected in all their extent, and without any exception; the Government of the city to remain in the hands of the actual authorities; interchange of any prisoners who may have been taken.

The Lieutenant-General Commander-in-chief,

CARLO FILANGIERI.

(Inclosure 10.)—*Lord Napier to Vice-Admiral Sir W. Parker.*

SIR,

Naples, September 13, 1848.

I HAVE the honour to acknowledge the receipt of your Excellency's letter of this day's date, inclosing accounts of the operations at Messina, from Captain Robb, of Her Majesty's steam-frigate *Gladiator*, and of the result attending the joint remonstrances offered by that officer and Captain Nonay, of the French Navy, to General Filangieri.

I have hastened to impart the humane and judicious resolution of the Neapolitan Commander-in-chief to his Excellency the Prince of Cariati by the official note inclosed herewith.

I have, &c.

Vice-Admiral Sir W. Parker.

NAPIER.

(Inclosure 11.)—*Lord Napier to Prince Cariati.*

Naples, September 13, 1848.

THE Undersigned, Her Majesty's Chargé d'Affaires, has the honour to inclose herewith for the information of his Excellency the Prince of Cariati, &c., copy of a letter from Vice-Admiral Sir William Parker, by which it appears that General Filangieri has agreed to a suspension of all further hostilities in Sicily for the present.

The Vice-Admiral trusts that the humane and judicious resolutions of General Filangieri will obtain the sanction of the Government of His Sicilian Majesty, in which case whatever influence is possessed by Sir William Parker or by His Majesty's Legation will be strenuously exerted in establishing such a solid pacification between the contending parties as may conduce to the resumption of ulterior negotiations under the most favourable aspect.

The Undersigned, &c.

Prince Cariati.

NAPIER.

No. 29.—Lord Napier to Viscount Palmerston.—(Rec. September 18.)

MY LORD,

Naples, September 8, 1848.

I HAVE the honour to inclose herewith copy of a telegraphic despatch, placarded this afternoon, by which it appears that Messina was occupied by the Royal forces yesterday at 5 o'clock P.M., after a desperate resistance on the part of the Sicilians for 2 days.

The details are unknown, as no steam-vessel has as yet arrived from the seat of hostilities.

I have, &c.

Viscount Palmerston, G.C.B.

NAPIER.

(Inclosure.)—Telegraphic Despatch from Messina.

(Translation.)

Naples, September 8, 1848.

As no journal will be published to-day, it being the feast of the Nativity of the Virgin, we hasten to make known in this supplement the following most consolatory official account of Messina having been reduced to the obedience of the King our master by our valorous soldiers.

Telegraphic Despatch.

Naples, September 8, 1848, 1½ P.M.

"Lieutenant-General Filangieri to his Excellency the Minister of War and Marine.

"Messina is conquered, and returns under the obedience of its lawful Sovereign.

"A most desperate defence of 2 days proved no obstacle to the prodigious valour of the Royal troops, who, with cries of 'Long live the King!' surmounted the greatest obstacles.

"Messina, September 7, 5 P.M."

No. 30.—Lord Napier to Viscount Palmerston.—(Rec. September 18.)

MY LORD,

Naples, September 10, 1848.

THE despatch inclosed herewith from Captain Robb, of Her Majesty's steam-frigate *Gladiator*, to Vice-Admiral Sir William Parker, contains the details of the siege and capture of Messina by the Neapolitan troops.

This narrative, which is stamped with the liveliest characters of horror, arrived last night by the French steam-vessel of war *Pluton*, and was presented to the Vice-Admiral along with the accompanying letter from Admiral Baudin, who was so deeply affected by the calamities caused by the indiscriminating warfare waged by the Royal forces, that he instantly dispatched orders, without even communicating with the French Envoy, to the officer in command of the French vessels of war at Messina, enjoining him to oppose all further prosecution of hostilities.

Admiral Baudin in imparting this measure to Sir William Parker desires his co-operation, but expresses his resolution to act singly in case the latter should not deem himself enabled to embrace a similar course.

On the receipt of this intelligence, I immediately communicated with the Vice-Admiral, and on a deliberate review of the position in which we were placed by the unexampled disasters with which Sicily is menaced, and by the active intervention offered by the French Commander-in-chief, Sir William Parker, with my full assent, addressed me the inclosed official letter, urging strongly upon the Neapolitan Government the expediency of ordering an immediate cessation of active operations, and intimating his intention, if necessary, of supporting this advice by the employment of force.

Sir William Parker's communication has been conveyed to his Excellency Prince Cariati in the note which I have the honour to submit to your Lordship, and which is conceived in a similar sense.

I have also this evening had a personal interview with Prince Cariati in company with M. de Rayneval, when we strongly pressed upon his Excellency the propriety of relieving our respective commanders from the necessity of resorting to further demonstrations, by a prompt and spontaneous suspension of arms.

The departure of the steam-vessel for Toulon at an early hour to-morrow morning will prevent my having the honour to forward to your Lordship the reply of the Neapolitan Government on this occasion.

I have, &c.

Viscount Palmerston, G.C.B.

NAPIER.

(*Inclosure 1.*)—*Captain Robb to Vice-Admiral Sir W. Parker.*

SIR,

Gladiator, Messina, September 8, 1848.

I HAVE the honour to acknowledge the receipt of your letters Nos. 64, 65, 66, and shall pay particular attention to the instructions contained therein. Having made you acquainted with the commencement of the bombardment on the 3rd instant, I shall continue to relate the progress of events up to the last moment, as they have been most important and fatal to the Sicilian independence.

I had detailed all the circumstances up to the sailing of the *Merlin* for Malta to Rear-Admiral Harvey, and beg to inclose copies of my letters to him.

The bombardment of the town was continued during the whole of the 3rd instant, and commenced again at daylight on the 4th, and was kept up without intermission on both sides until dusk. On the 5th, the Sicilians did not commence firing, although their batteries had not suffered greatly; they appeared to be saving their ammunition; but in the afternoon the firing became general on both sides. At 2 P.M. the *Bulldog* arrived, and at 4, the French ship *Hercule*, the captain of which immediately put himself in communication with me and assured me of his assistance in endeavouring to stop bloodshed as much as possible. Two steamers with troops and many boats in tow landed about 2,000 troops at the citadel.

At 6 P.M., Signor Piraino came on board with a deputation to beg me if possible to send the *Bulldog* to Palermo, which I declined to do until they assured me that it was for the purpose of consulting with the Parliament of Palermo on the actual state of affairs here, and to request conditions on what they were to urge if they should be required to surrender. I then desired Signor Piraino to write me a letter to that effect (copy inclosed), and having acquainted the captain of the *Hercule* with my intention, the *Bulldog* left this for Palermo at 9 o'clock with a deputy for the aforesaid purpose.

The bombardment continued the whole day, and a partial firing on both sides was kept up during the night. On the morning of the 6th, the Neapolitan squadron, consisting of 2 frigates, 1 corvette, 13 steamers, and 19 gun-boats, with other boats in tow, came over from Reggio, and under their fire a landing of the troops was effected. The firing from the citadel and Sicilian batteries and the Neapolitan squadron became general, and it was difficult to see the issue of the battle from the great smoke, as all the country at the south of the town appeared to be in flames. About 300 Palermitans under La Masa marched out in the morning to repulse the landing; but it appeared to me that, although the Sicilians from the batteries fought with the greatest courage, it was scarcely possible for them without leaders or organized discipline to repulse the armed military force that was sent against them. About 2 o'clock a courier arrived to state that the Sicilians had obtained a victory, but I put no faith in the report. About 4 o'clock the people (men, women, and children), carrying bundles, were escaping in great numbers from the town, and evidently the Neapolitan troops were advancing. Many seized the boats on the shore or any small vessel they could find and crowded on board the different

vessels. The French ships deserve the greatest credit for the humanity with which they received the people, who were crowded almost to suffocation; and the *Gladiator* was literally packed so full that it was with difficulty that a passage could be formed on the deck; for the women, with children in their arms, leaving their burning town behind them, and flying for their lives to seek refuge on board here, were most willingly received. It is impossible to state the numbers who were thus saved, but I think that at one time there must have been 1,500 persons on board. The conduct of the officers and seamen of the ship in giving these people every succour, their provisions, their beds, in short, suffering all privation to relieve these unfortunate refugees, deserve my fullest approbation. It was impossible for me to do more than to give them biscuits and tea, as the means of making further provisions was not in our power.

The firing on both sides continued long after dark and the town was in flames in many places. About 7 o'clock, Signor Piraino and his secretary came on board to state that the squadron had been dispersed, the National Guard had deserted, and that the Neapolitan troops were at the gates of the town, and begged me to use my mediation to stop the effusion of blood. This was most difficult to be done at that moment; but I took him on board the *Hercule*, as my own cabin was filled with women and children, and I had no place to hold a conference. The captain of the *Hercule*, who has listened to all my suggestions and opinions and acted cordially throughout in our endeavours at conciliation and in the cause of humanity, agreed with me that the time was now come for any intermediation that might tend to our great object, and we asked Signor Piraino if he was prepared to surrender to the victorious Neapolitans. He replied that he could not give a decisive reply before he had consulted the Comitato, and he appeared suspicious of falling a sacrifice to some vindictive feeling in the town. The captain of the *Hercule* and I could not in any way interfere without having some conditions to offer, and we were obliged to remain neutral. Signor Piraino did not admit that they were conquered, as the firing except occasionally had entirely ceased; the town was burning in many places, the country around in flames, and the inhabitants on board had fled from the desolating scene; and about 10 o'clock, at the suggestion of some of the leaders, he went on shore again to decide on further resistance or submission. About 2 h. 30 m. A.M., on the 7th, Signor Piraino returned with a deputation consisting of the General, the capo or chief of the squadron of the Municipal Guard, and the civil authorities (about 15), and told me they had no further hope of success. The squadron had been scattered, the National Guard deserted, the Palermitans deceived them, in short, that no reliance could be made on any force to

recommence the action in the morning. I took them on board the *Hercule*, and after much discussion Captain Nonay and I agreed to send a French and English officer to the General-in-chief to supplicate a suspension of arms until the terms of capitulation could be agreed upon (translated copy of letter inclosed). In consequence of the folly of these people debating so long much time was lost, and although the letter arrived at the citadel at 4 h. 30 m. A.M., no answer was received until 8 o'clock, when the aide-de-camp of General Filangieri returned with a reply that he was ready to agree to a suspension of arms as soon as the firing had ceased on the side of the Sicilians, but requested to know the basis of the conditions that were to be offered to the General. After a debating of nearly $2\frac{1}{2}$ hours, they proposed as the conditions that the surrender of the town be made *de facto* to the Neapolitans, but subject to the approval of Palermo; that the actual Government of the town should remain in the hands in which it then was; that lives, property, and liberty should be guaranteed and an interchange of prisoners.

Although the deputation were warned by Captain Nonay and myself that the 2 first propositions presented obstacles so great that they could not be granted, and they were begged to reflect much on them before they were sent, they persisted in sending them, giving as a reason their dread of popular feelings. At 10h. 30m. the officers went to the citadel with the basis of these conditions giving an assurance that the fire should immediately cease, and the Sicilian General sent orders to the same effect to the Sicilian forces.

The whole of this period, which was so valuable for the preservation of the lives of many and preventing the destruction of the town, was spent in debate, and in spite of the counsel given them to be moderate in their demands was productive of terms that no General could accept.

In the meantime, 5 A.M., the steam-vessels which had returned to Reggio on the previous morning returned with fresh troops, the citadel and Salvatore opened their fire upon the town, the Sicilians had expended all their ammunition on the previous night, and not a single shot has been fired during this day, yet the bombardment of the town continued until 10 o'clock when the firing became slackened; but the city was in flames from one end to the other, and it is scarcely possible that a single house can have escaped this constant bombardment of 5 days and nights. In the afternoon the Neapolitan colours were hoisted on the heights behind the town; the few people who remained in the town fled from it, and were received on board any vessel that could be found, and were placed under the protection of the French and English ships. A French and English officer waited for a reply to the conditions until after dark. The firing had

ceased. The town was burning in eleven different places, and the whole population of Messina had deserted it.

The *Bulldog* having arrived on the 7th, and the *Solon* French steamer from Naples, the French surgeons having expressed their opinion that the very crowded state of the ships was likely to create a disease, Captain Nonay and I determined to send the *Bulldog* and *Parana* to Milazzo and Catania in the morning with as many refugees as they could carry. At 8 o'clock P.M. the foreign Consuls in a body came on board to consult as to the probability of their being able to save some of the property of the burning town, and were sent on board the *Hercule*, where they addressed a protest to the General-in-chief, which was forwarded to the citadel this morning.

It was suggested that, with the concurrence of the General a large convent near the ships should be protected by the flags of France and England, and the refugees landed from the ships there under the guarantee of the General. At noon a verbal reply was returned that this would not be permitted; and in the meantime many of the people have returned to the shore on their own account, but, until I have some guarantee for the security of the people who are not compromised, I shall not insist on their landing; and the General has been acquainted that, if this be not done the French Commander and myself are determined to send them to Catania and Milazzo, leaving the result to the whole of Europe.

The Neapolitans took possession of the town during the night, but I have not learned if it be given to sack and pillage, as it is still burning.

About 8.30 this morning I received a letter from a Neapolitan officer, to the effect that he was to attack the Sicilian gun-boats and to beg that I would move this ship out of the line of fire; I told him that the Sicilian gun-boats had been entirely abandoned for nearly 2 days, and sent an officer with him to pull along the line in which they were moored to assure him of this fact. They were taken possession of in the course of the forenoon.

Having thus stated in detail the different events that have occurred from the date of my last letter, I am glad to assure you that in all that has taken place in our endeavours to promote a cessation of hostilities, and to spare the further effusion of blood, I have been aided by, and have acted in concert with, Captain Nonay, the French senior officer here. I must also bear testimony to the great courage of the Sicilians who have supported for 4 days a constant bombardment, and an overwhelming force for 2 days, without leaders or organization of any kind, and in want of powder, caps, and ball. They have sustained themselves as brave men, whilst I regret that the obstinacy of the members of the Executive Government has led to the destruction of the town, although I

cannot see any reason for the bombardment of 8 hours without having been answered by a single battery. The town has in consequence been completely ruined as far as I can judge at this distance, and still burning.

At 12:30 four Neapolitan steamers towing 16 gun-boats have entered the Mole, and the frigates are over at Reggio.

I have, &c.

Vice-Admiral Sir W. Parker.

J. ROBB.

(*Inclosure 2.*)—*M. Piraino to Captain Robb.*

SIR,

Messina, September 3, 1848.

You will perceive how the cruelty and cowardice of the Royalists, in a state of rage on account of the loss of those who attempted to land on this shore, where a thousand enemies were waiting for them, have been guilty of new atrocities in directing their whole fire towards this city, which is now suffering from bombardment, from fires, and from ruins. Nevertheless they have witnessed what the courage and valour of the Sicilians has been and what sacrifice they will endure to gain their liberty.

Great Britain will stand as a witness to the whole world, and she will attest to the same what the cruelty, cowardice, and infamy of these assassins has been.

If you have any fire-engines to spare, and also if you could lend us a surgeon, you would do what England always does in favour of humanity.

Captain Robb.

D. PIRAINO.

(*Inclosure 3.*)—*Captain Robb and Captain Nonay to the General Commanding the Army of the King of Naples before Messina.*

French ship Hercule, off Messina,

GENERAL,

September 7, 1848, 4 A.M.

THE English and French ships of war can receive no more of the Messinese families who are flying from the sack and pillage with which they think they are menaced.

It is therefore in the name of the God of all mercy that the Undersigned, commanding the naval forces of France and England, appeal to the humanity of the representative of His Majesty of Naples.

They beseech him to agree to a truce for the purpose of staying the further effusion of blood, which has already been too much shed, and establish conditions of capitulation, which may be discussed on board the French ship of the line *L'Hercule* by deputies charged with the requisite powers from the 2 belligerent parties.

The Undersigned, &c.

*General Commanding the Army of the
King of Naples.*

JOHN ROBB.
NONAY.

(Inclosure 1.)—*Protest of the Consular Body against the Bombardment of Messina.*

LES Soussignés, Consuls des nations Anglaise, Française, Danoise, Hollandaise, Belge, Prusse, Suisse, Confédération du Rhin, Villes Anséatiques, &c., ont l'honneur de représenter à son Excellence Monsieur le Général-en-chef de l'armée de Sa Majesté le Roi des 2 Siciles devant Messine, que c'est le 2 Septembre à 9 heures du soir qu'ils ont reçu avis que quelques unes des villes maritimes de la Sicile devaient être réoccupées par la force des armes, et que le lendemain 3, à 7 heures du matin, le feu a été ouvert sur la ville de Messine. Cet espace de temps est assurément trop court pour remplir tous les devoirs de leur position, aussi leurs nationaux, leurs propriétés n'ont-elles pu être garanties en temps opportun.

Depuis le 3, le bombardement et l'attaque ont été poussés avec plus d'activité, et enfin aujourd'hui 7, ils ont la douleur de voir la ville de Messine livrée aux flammes, aux bombes, et à toutes les fureurs de la guerre, sans qu'aucune autorité locale, aucuns secours quelconques ne soient venus tenter de diminuer l'affreuse conséquence de l'état des choses.

En présence de la ruine imminente de cette ville florissante, ils auraient cru que les troupes du Roi se seraient empressées de censurer ou du moins diminuer sa destruction, attendu que, abandonnée depuis ce matin par tous les habitants, personne n'aurait pu s'opposer à l'extinction de tous ces incendies.

Il n'en a rien été; les flammes ont fait des progrès si rapides, que la destruction de la ville peut être considérée comme complète si on ne se hâte d'arrêter les ravages de ces incendies par les moyens ordinaires.

Les Soussignés pensent que personne plus que son Excellence ne peut disposer des moyens suffisans, ils viennent donc maintenant la supplier dans l'intérêt de l'humanité comme dans les intérêts du Roi, d'aviser aux moyens les plus prompts, les plus efficaces, pour arrêter tous les ravages dont les Soussignés sont menacés dans leurs personnes comme dans leurs propriétés.

Les Soussignés déposent donc ici les protestations que de droit contre toutes les circonstances qui pourraient résulter de l'état des choses qu'ils viennent avoir l'honneur d'exposer.

Les Soussignés ont l'honneur de prier son Excellence de vouloir bien les prévenir dès qu'elle jugera qu'ils peuvent retourner dans leurs Consulats avec sécurité.

[Suivent les Signatures.]

(Inclosure 5.)—*Admiral Baudin to Vice-Admiral Sir W. Parker.*

MON CHER SIR WILLIAM,

Ischia, 9 Septembre, 1848.

J'AI reçu cet après-midi par le *Pluton* un rapport détaillé du Capitaine Nonay, du vaisseau *l'Hercule*, sur les funestes événements dont Messine vient d'être le théâtre.

J'ai vu avec plaisir que le Capitaine Robb du *Gladiator*, fidèle aux sentiments d'humanité et de générosité dont il a déjà donné tant de preuves, avait dans cette dernière circonstance aidé de son active et cordiale coopération les efforts du Commandant des forces Françaises pour arrêter l'effusion du sang, adoucir les maux de la guerre, et sauver le plus grand nombre possible de victimes de ce désastre.

Par respect pour les règles de la neutralité nous avons pensé jusqu'à ce jour, mon cher Sir William, devoir nous abstenir, chacun de notre côté, de nous interposer dans la lutte entre le Gouvernement Napolitain et la Sicile. A cet égard, nous étions, vous et moi, sans ordres de nos Gouvernements respectifs, qui ne pouvaient prévoir que l'expédition actuelle prendrait le caractère de barbarie et de fureur qui vient malheureusement de marquer ses actes.

Les Ministres de France et d'Angleterre près la Cour de Naples se sont donc bornés à des conseils bienveillans pour engager le Gouvernement de ce pays, dans son intérêt même, non moins que dans un intérêt général d'humanité, à suspendre son expédition contre la Sicile.

L'expédition a été entreprise malgré ces conseils, et nous avons dû lui laisser suivre son cours. Si vous ou moi nous y fussions opposés avant l'attaque de Messine, le Cabinet Napolitain n'aurait pas manqué de se plaindre, et il l'aurait fait avec une apparence de raison.

Il aurait allégué des intentions bienveillantes envers la Sicile, et des instructions modérées données au Général Filangieri.

Mais aujourd'hui nous voyons de quelle manière on a procédé devant Messine, et quels ont été les résultats de l'attaque. On s'est jeté sur cette malheureuse ville sans sommation préalable, sans la moindre tentative d'accommodement, et la lutte a pris de part et d'autre un caractère d'acharnement et de férocité qui fait préjuger les scènes les plus horribles dans le cas où elle viendrait à se prolonger.

Le sang appelle le sang; la vengeance appelle la vengeance; les atrocités commises par l'une des parties amèneraient nécessairement de la part de l'autre de terribles et longues représailles.

Ma conscience me crie donc, mon cher Sir William, qu'il est de mon devoir d'arrêter cette funeste lutte, au moins jusqu'à ce que les intentions de mon Gouvernement me soient connues. J'ai assez respecté jusqu'à ce jour les règles de la neutralité; les saintes lois

d'humanité doivent avoir leur tour, et je vous déclare que je donne ordre aux divers Commandants des forces Françaises sur les côtes de Sicile de s'opposer à la continuation des hostilités.

Si vous croyez pour votre part devoir coopérer à cette mesure, je verrai avec satisfaction que les forces de nos 2 nations agissent dans un sentiment commun de bienveillance envers les parties belligérantes pour empêcher de nouvelles calamités.

Dans le cas contraire je n'en suivrai pas moins la ligne de conduite qui me paraît tracée aujourd'hui par la raison et par l'humanité.

Agreez, &c.

Vice-Amiral Sir W. Parker.

CHS. BAUDIN.

(*Inclosure 6.*)—*Vice-Admiral Sir W. Parker to Lord Napier.*

MY LORD,

Hibernia, at Naples, September 10, 1848.

AT 11 o'clock last night I received by the French steam-vessel *Pluton* the despatches from Captain Robb detailing the particulars of the fall of Messina after a fierce bombardment of 5 days by the Neapolitan forces and a courageous defence by the Sicilians until the town was on fire in 11 places, rendered desolate by the flight of its wretched inhabitants, and the ammunition of the Sicilians totally expended.

Your lordship will read this report with unmixed pain.

But there appears to have been a ferocity on the part of the Neapolitans in continuing the bombardment with unabated fury for 8 hours after resistance had ceased, for which a parallel can scarcely be found in the records of civilized warfare; and the spirit evinced by the unfortunate inhabitants of Messina may be also taken as an index of devotion to their cause, which pervades nearly the whole population of the island.

The voice of humanity imperatively calls for some expedient to prevent a repetition of such devastation at other points.

In the belief that the sympathies of all Europe will be roused by the deplorable destruction of a city by which thousands of helpless beings are become houseless and destitute of any means of subsistence, and under the conviction that such a war cannot be prolonged for any useful purpose; understanding also that the Neapolitan Government has hitherto disregarded the advice given by your Lordship and the Ministers of other Powers to postpone the attack of Messina with the hope of some amicable adjustment by mediation; I am induced to hope that your Lordship will as a last effort at once urge the Government to order an immediate suspension of hostilities which may relieve me from the necessity of adopting any measure to enforce an armistice (now most desirable) until reference can be made to Her Britannic Majesty's Government, in concert with her allies, for the settlement of this lamentable contest.

Instructions on this point may indeed be expected by every packet, and I flatter myself that the principle of humanity which prompts this appeal will be responded to with corresponding desire on the part of the Neapolitan Government to arrest the desolating consequences of a war continued in such a reciprocal spirit of rancour.

I have, &c.

Lord Napier.

W. PARKER.

(*Inclosure 7.*)—*Lord Napier to Prince Cariati.*

Naples, September 10, 1848.

THE Undersigned, &c. had the honour to address to his Excellency the Prince of Cariati, &c., on the 29th ultimo, a note, in which the Undersigned ventured to submit to his Excellency the expediency of treating with the Government at Palermo, under the concerted mediation of Great Britain and France, before having recourse to the last expedient of sending forth an armament to reduce the Sicilians by force of arms.

The Undersigned has not received any reply to those amicable proposals, but he has been the witness of a powerful expedition directed against that nation, and he has this morning been informed in detail of the occupation of Messina by the Royal troops.

The operations of the Neapolitan forces were by the testimony of the officers of Her Britannic Majesty's navy, spectators of that cruel scene, not effected without the exercise of severities very rare and never justifiable, above all in civil warfare; while the spirit of resistance developed by the Messinese and their allies was of a character so desperate and savage as to induce the apprehension that the prosecution of the present hostilities between the army of His Majesty the King and the Sicilian population is more likely to entail a long train of calamities involving a useless devastation and sacrifice of human life, than to effect any political sentiment based upon conditions and sentiments pregnant with durable concord and common prosperity.

The contemplation of this unhappy alternative, either the prolonged and unsuccessful efforts of the Royal troops to accomplish the subjugation of an infuriated people, or the scarcely less miserable result of the unconditional and hollow submission of that people to a Government which, they would seize the first occasion to overturn, has produced such a deep impression on the mind of the Commander-in-chief of Her Britannic Majesty's naval forces as well as on the Undersigned, that they are unwilling to dismiss all hopes of an accommodation between the parties at issue, founded on their mutual interests and those benevolent dispositions by which both must surely be inspired at heart.

The Undersigned will therefore once more respectfully but

earnestly entreat the Government of His Sicilian Majesty to attempt the way of negotiation, and to send orders for the cessation of active hostilities, with the view of establishing an armistice binding equally on the contending forces until the resolution of the Cabinets of Great Britain and France can be ascertained; and so profoundly is the expediency of this course felt by the Undersigned and Vice-Admiral Sir William Parker, that the latter in the accompanying communication has intimated his intention in a contingency which the Undersigned can scarcely contemplate, to employ his authority in imposing a temporary suspension of arms, believing that by doing so he would consult the permanent welfare of the Neapolitan Government and the advancement of that general peace in Europe which is menaced by the shock of so many unprecedented and conflicting passions.

The Undersigned, &c.

Prince Cariati.

NAPIER.

No. 31.—Lord Napier to Viscount Palmerston.—(Rec. September 18.)
(Extract.) *Naples, September 10, 1848.*

THE unexpected and spontaneous resolution embraced by Admiral Baudin placed us in a momentary perplexity from which we have not been able to issue without committing Her Majesty's Legation and Her Majesty's naval forces to a course of policy scarcely, perhaps, reconcileable with strict principle, very possibly averse to your Lordship's inclinations, but as it appears to me imperative, considering the pressure of circumstances and our double relations towards France and Sicily.

I never advised the arrest of the Neapolitan expedition, though I certainly witnessed its departure with concern; and had the hostilities been prefaced by some offer of specific terms of a nature however little plausible, or even prosecuted with that respect for life and property usual in civilized warfare, the royal forces might have proceeded to the reduction of the island without question or obstacle on the part of Her Majesty's Legation or Vice-Admiral Sir William Parker.

But the Neapolitans have brought themselves into their present dilemma by a method of war so barbarous as even to astonish the experience and rouse the veteran sensibilities of Admiral Baudin; and your Lordship will observe that Sir William Parker is not less deeply moved by the useless sufferings inflicted on the inhabitants of Messina.

Were I to add to the official narrative of Captain Robb the particulars of atrocity credibly reported to have been committed on either side, your Lordship would recognize a deplorable analogy between the late events and the ferocious rancour of the wars of liberty and revolution in Spain.

The consequences contingent on a prosecution of hostilities which had at an early period acquired so dark a complexion might well be thought to justify that modified intervention involved in a compulsory armistice, and if the previous policy of the British Government in parallel cases, and the tutelary authority benevolently exercised by the Great Powers of Europe in composing the dissensions of their less powerful allies, seem to sanction such a measure, its adoption in the present case was recommended by the ancient claims which the people of Sicily may surely be allowed to possess on the sympathies and succour of Great Britain.

What the Neapolitan Government may think fit to answer I do not venture to predict. Prince Cariati seemed to labour under considerable exasperation, but I will endeavour to employ the conciliatory influence of Count Chreptowitch in shaping the counsels of the Neapolitan Cabinet to the only reasonable solution in their present emergency, namely, the acceptance of an armistice and the calm discussion of the proposals your Lordship may resolve upon in concert with the Government of France.

Viscount Palmerston, G.C.B.

NAPIER.

No. 32.—Mr. Addington to the Secretary to the Admiralty.

SIR, *Foreign Office, September 20, 1848.*

I AM directed by Viscount Palmerston to request that you will inform the Lords Commissioners of the Admiralty that he has approved a note addressed by Her Majesty's Chargé d'Affaires at Naples to the Neapolitan Government, urging them to order an immediate cessation of hostilities, and inclosing a letter which he had received from Vice-Admiral Sir William Parker, intimating that Sir William intended, if necessary, to support this advice by the employment of force.

I am, &c.

The Secretary to the Admiralty.

H. U. ADDINGTON.

*No. 33.—Lord Napier to Viscount Palmerston.—(Rec. September 21)
(Extract.)*

Naples, September 12, 1848.

COUNT CHREPTOWITCH, at my earnest request, waited upon the King yesterday morning, and offered His Majesty the strongest advice to forward telegraphic orders for the suspension of hostilities in Sicily.

His Excellency urged the expediency of such a measure by all the arguments which could be adduced from the domestic condition of the Neapolitan Government, from the attitude maintained by Sicily, the relations and policy of the different European Cabinets, and His Majesty's own personal dignity and interests.

The King requested time for reflection, but appeared to attach a greater importance to the abstract right and justice of his cause in

persevering in the reduction of Sicily than a calm and politic review of his position at the present moment would seem to justify.

His Majesty was bent on considering the subject in its simplest and narrowest proportions, without any collateral reference to the sympathies and declarations of foreign countries or the elements of agitation and disorder which the continuation of the war might stimulate in his own dominions and in the other States of Italy.

Count Chreptowitch entreated the King to regard this momentous question in a larger sense, and his Excellency was the better enabled to do so by having repeatedly spoken in a similar sense before the resolution of the French Commander-in-chief had been declared.

Viscount Palmerston, G.C.B.

NAPIER.

No. 34.—Lord Napier to Viscount Palmerston.—(Rec. September 21.)

MY LORD,

Naples, September 12, 1848.

I HAVE the honour to inclose herewith copy of a note which I have this morning received from his Excellency the Prince of Cariati, in reply to the combined representation of Vice-Admiral Parker and myself, forwarded in my despatch to your Lordship of the 10th instant.

Prince Cariati casts some doubt upon the accuracy of the reports of the officers of Her Majesty's squadron and that of France, respecting the barbarity practised by the Neapolitan forces at Messina, and declares that until the receipt of detailed official intelligence he cannot return a conclusive reply to our remonstrances.

The Prince also alleges that any measures which Sir William Parker may embrace in carrying out his views for the pacification of Sicily will be hostile to your Lordship's wishes, and he claims for the Neapolitan Government that freedom from foreign intervention and constraint which is due to an independent State.

As there appears to be no useful aim in the prolongation of an official correspondence with the Neapolitan Government upon this subject, I have simply acknowledged the receipt of his Excellency's communication and imparted it to the Commander-in-chief.

I had, however, informed Prince Cariati in a previous conversation on the evening of the 10th instant, that whatever may have been the alleged opinions of your Lordship as related by Prince Castelficala, and conveyed to me by the Neapolitan Government, I could not accept such intelligence as an absolute rule for my guidance in the absence of direct instructions; and I stated to his Excellency that if those reports were to have had any influence in shaping my resolutions they ought to have been previously imparted to me in reply to my letter of the 29th ultimo, which was left unanswered.

Nor did I conceal from Prince Cariati that my position was now entirely changed, and that I reserved to myself in conjunction with

Sir William Parker a full liberty of unfettered action until your Lordship's will could be ascertained.

Her Majesty's ship *Superb* proceeded to Palermo yesterday, with orders to impede the landing of any Neapolitan force at that capital; and I believe that further instructions in a similar sense will be forwarded by Her Majesty's steam-frigate *Sidon* in the course of this afternoon.

I have, &c.

Viscount Palmerston, G.C.B.

NAPIER.

(Inclosure 1.)—*Prince Cariatì to Lord Napier.*

(Translation.)

Naples, September 11, 1848.

THE Undersigned, &c. has received the note of Lord Napier, &c. inclosing copy of an official letter from Vice-Admiral Parker, in which after narrating the circumstances attending the taking of Messina by the Royal troops, they both invite the King's Government to conclude an armistice with the Sicilians, until the determination of the Cabinets of Great Britain and France upon the subject should be known, and to attempt afresh the method of negotiation.

As the Undersigned has reason to believe, that the reports which have given rise to the suggestions and observations of the Chargé d'Affaires are somewhat exaggerated, as indeed has been frequently the case with respect to the occurrences which during the last 8 months have afflicted Sicily, he will wait for the official reports from the Commander of the expedition to Messina, which must ere long reach the King's Government, before giving a suitable reply to the said note; and this delay becomes the more necessary, inasmuch as it appears from the telegraphic report which arrived yesterday and of which copy is inclosed, that the population is returning into the city, and that order is being rapidly re-established.

The Undersigned at the same time declares to Lord Napier, that whatever may be the measures which Vice-Admiral Parker may adopt for the purpose of embarrassing the plans of the King's Government, in manifest violation of the rights of a free and independent Sovereign, and that consideration which is due to a friendly Power, those measures must necessarily be considered as spontaneous on his part, and not in accordance with the intentions of the British Government, because Lord Palmerston has repeatedly assured the King's Minister in London, and especially on the occasion of the interview he had with him on the 4th of last August, that the Government of Her Britannic Majesty would oppose no kind of obstacle in the way of the military expedition which this Government was preparing for the purpose of re-establishing order and tranquillity in Sicily and of freeing her from the yoke of a band of evil-disposed persons, who, although few in numbers, yet by their

audacity and the terror which they inspire, oppress and lord it over the great majority of their fellow-citizens, whose lives and properties they are continually threatening.

The Undersigned cannot abstain from begging the Chargé d'Affaires to remark the very bad effect which his note would have upon the Sicilian revolvers, if it should come to their knowledge; for if they be made still more sure of the protection and goodwill of the British and French Agents, they will be the more induced to persist in those unbridled passions and unheard-of pretensions which up to this time have rendered every attempt at reconciliation between the 2 parts of the Kingdom of the 2 Sicilies fruitless and impossible.

The Undersigned begs that the Chargé d'Affaires will lay this note before Vice-Admiral Parker, and assure him that the King's Government will take every means in their power to lessen the evils inseparable from war.

The Undersigned, &c.

Lord Napier.

PRINCE OF CARIATI.

(Inclosure 2.)—*Telegraphic Despatch from Messina.*

(Translation.)

Naples, September 10, 1848.

Telegraphic Despatch to His Majesty.

Lieutenant-General Filangieri in Messina,

THE burning has ceased. Security being guaranteed for persons and property, the inhabitants begin to return. The Municipal Government is established. Milazzo has made its submission. The steamer *Vesuvio* is captured. The blockade along the coast established.

Messina, 8 A.M.

No. 35.—*Vice-Admiral Sir W. Parker to the Secretary to the Admiralty.*

SIR,

Hibernia, at Naples, September 11, 1848, 6 A.M.

HAVING accidentally learnt that a French steamer is to proceed to Toulon this morning at 8 o'clock, I anxiously avail myself of the earliest opportunity to transmit, for the information of the Lords Commissioners of the Admiralty, the accompanying copy of a despatch* which I have received from Captain Robb at 11 P.M. of the 9th instant, reporting the fall of Messina, which was taken possession of by the Neapolitans on the 7th instant, after sustaining courageously a furious bombardment of 5 days, during which the whole of the Neapolitan forces, amounting to 14,000, were landed, and the city reduced to a state of utter desolation, the wretched inhabitants having all fled for their lives, the flames spreading in no less than 11 places, and the whole of the ammunition of the Sicilians expended.

This barbarous bombardment of Messina appears to have

been recklessly persevered in for 8 hours after resistance had ceased, and the consequences have been most deplorable; but I will not take up the time of their Lordships by recapitulating the scenes of devastation and suffering which Captain Robb's letter so fully depicts. The humane exertions of himself, the officers, and crew of the *Gladiator* and *Bulldog*, and those of the French line-of-battle ship *Hercule*, and 2 steamers, saved the lives of numbers of hapless victims who sought refuge on board; their generous succour was unremitting and above all praise.

These sad accounts brought by the French steamer *Pluton* were obligingly forwarded to me by Vice-Admiral Baudin from the Island of Ischia, with intimation that the *Pomone* screw-frigate would be immediately dispatched to Messina, which enabled me to convey to Captain Robb my approval of his conduct.

At 6 A.M. of the 10th, I received from the Vice-Admiral a letter* assuring me that he had from motives of humanity ordered the French forces on the coast of Sicily to oppose the continuation of hostilities between the Neapolitans and Sicilians, and inviting me to join in this measure.

As the screw-frigate *Pomone* was then under weigh with those instructions for Messina, I had merely time to address a few hasty lines in a private note to communicate the course resolved on by the French Admiral to Captain Robb, and to desire him to continue his exertions in softening as much as possible the severities of the war and to maintain the most friendly intercourse with the French ships, but not to interfere with the Neapolitans without instructions from myself, with permission, however, to express my concurrence in the expediency of an armistice, and to state verbally to the Commander of the Neapolitan forces in any casual conversation, my abhorrence of the severities which had been practised on the unfortunate Sicilians.

Lord Napier being at Castellamare; I was not able to put Admiral Baudin's communication into his hands before the afternoon, when his Lordship came on board the *Hibernia*, and as we concurred in opinion that an armistice was most desirable, and that the corresponding sympathies of Great Britain towards Sicily should not lie dormant, I took upon myself the responsibility of addressing the letter No. 4 to Lord Napier,† urging him to request of the Neapolitan Government an immediate suspension of hostilities, until reference can be had to Her Majesty's Government for the settlement of this rancorous war, in concert with Her Majesty's allies, and I ventured to intimate that measures might be taken to enforce this object, if necessary.

I am aware that in so doing I have exceeded the authority dele-

gated to me by their Lordships, and it has not been without much reflection that I have presumed so far, but I hope, under due consideration of the circumstances in which I have been so unexpectedly placed, that the measure will not be censured, and if I have erred in judgment, I am sure that Her Majesty's Government will give me credit for proper intentions in the absence of instructions to meet this peculiar case.

The whole of the correspondence is now laid before their Lordships, and I shall await their decision with increased anxiety.

I have, &c.

The Secretary to the Admiralty.

W. PARKER.

(Inclosure 1.)—*Vice-Admiral Sir W. Parker to Captain Robb.*

SIR, Hibernia, at Naples, September 9, 1848, 11h. 30m. P.M.

I HAD scarcely time to read your despatch of the 8th instant and its various inclosures, received an hour ago by the French steamer *Pluton*, before intimation was obligingly given me by the Captain of the French frigate *Pomone*, that the *Pluton* will return within 2 hours from this time for Messina.

I hasten, therefore, to convey my unqualified approbation of all the measures you have adopted to prevent as much as possible an unnecessary effusion of blood, and to afford shelter to the unfortunate Sicilians who sought refuge on board Her Majesty's ships during the calamitous destruction of their property by the bombardment of Messina.

Everything appears to have been done by yourself and the Captains of the French ships that humanity could suggest to ameliorate their sufferings, and I entirely concur in your determination not to force these unhappy people to land without some assurance from the Neapolitan General that they would not be subjected to further severities, and also that you had decided, in conjunction with Captain Monay, of the *Hercule*, to remove them for safety to Milazzo, Catania, and Palermo, in consequence of the refusal of the General to guarantee their safety at Messina.

I likewise approve of your intention to send the *Bulldog* to Malta.

I was sorry that I had not another steamer available to assist in your highly commendable exertions in behalf of the suffering Sicilians.

Proper protection for British subjects who have been resident at Messina has I presume been duly claimed from the General commanding the Neapolitan forces, and I conclude that he will not withhold this necessary guarantee, and that they will remain in security, though it is to be feared almost houseless and with a great part of their property destroyed.

I regret that the conditions proposed by the Sicilians, when their position became hopeless, were not better calculated to have effected a cessation of the bombardment; but I shall be glad to know whether any demonstration was made on their part when no longer resisting, by striking their flag or hoisting that of the Neapolitans, in token of submission, to induce the latter to withhold their fire; and I wish also to be informed whether it appears that any terms of capitulation or summons to surrender were at any time made to the Sicilians verbally or in writing before the bombardment commenced.

I cannot conclude without expressing my satisfaction that all your measures have been carried on with such perfect cordiality with Captain Nonay and the officers of the other French ships for the great object of lessening the evils of war and preserving an honourable observance of our neutral position.

I have, &c.

Captain Robb.

W. PARKER.

(*Inclosure 2.*)—*Lord Napier to Vice-Admiral Sir W. Parker.*

SIR,

Naples, September 10, 1848.

I HAVE the honour to acknowledge the receipt of your letter of this day's date, inclosing copy of despatches from Captain Robb of Her Majesty's steam frigate *Gladiator*, descriptive of the horrors attending the late capture of the city of Messina by the Neapolitan troops.

I avail myself of this occasion to reiterate to your Excellency my perfect coincidence with the sentiments entertained by you on this occasion, and with the course contemplated in the contingency of the refusal of the Neapolitan Government to arrest the progress of hostilities for the purpose of establishing an armistice until the resolution of Her Majesty's Government be known.

I have imparted a copy of your Excellency's letter to Prince Cariati with the accompanying note,* embodying the sense of your communication.

I have, &c.

Vice-Admiral Sir W. Parker.

NAPIER.

No. 36.—The Marquis of Normanby to Viscount Palmerston.
(*Received September 21.*)

(*Extract.*)

Paris, September 20, 1848.

GENERAL CAVAIGNAC has just mentioned to me that in consequence of the atrocious barbarities committed on both sides during the late conflict at Messina, the French Government were determined to adopt, without reserve, the step taken by the French Admiral, though without any precise instructions, of interposing

summarily to prevent the continuation of hostilities. He trusted that Her Majesty's Government, actuated by the same motives of humanity, would concur in this proceeding. It would, if so, become expedient for the 2 Powers to consider what should be the basis of the arrangement which the interposition would render necessary. The French Government would not willingly promote any settlement which would tend to the complete separation of Sicily from the Kingdom of Naples. What they would wish to propose would be an independent constitution, upon somewhat the model of that of 1812, under a Viceroy appointed by the King of Naples.

Viscount Palmerston, G.C.B.

NORMANBY.

No. 37.—Viscount Palmerston to the Marquis of Normanby.

MY LORD,

Foreign Office, September 22, 1848.

I HAVE received your Excellency's despatch of the 15th instant, inclosing copies of the telegraphic despatches which the French Government has received from Naples reporting the capture of Messina by the Neapolitan troops; and with regard to the present posture of affairs in Sicily I have to state to your Excellency that His Majesty's Government are inclined to take the same view of this matter which is suggested by the French Minister at Naples, in his despatch to M. Bastide, and to recommend to the contending parties a settlement by which the Crown of Sicily should remain on the head of the King of Naples, while on the other hand the Parliament, the Administration, and the troops stationed in Sicily, should be entirely Sicilian.

I am, &c.

H.E. The Marquis of Normanby.

PALMERSTON.

No. 38.—Viscount Palmerston to Lord Napier.

MY LORD,

Foreign Office, September 22, 1848.

I HAVE to acknowledge the receipt of your Lordship's despatch of the 10th instant, reporting the bombardment of Messina, and inclosing copies of the letter addressed to you by Vice-Admiral Sir William Parker, requesting you to urge upon the Neapolitan Government the expediency of ordering an immediate cessation of active operations, and of the note which you in consequence addressed to Prince Cariati intimating to him that it was the intention of Sir William Parker to support this advice if necessary by the employment of force.

In reply I have to inform your Lordship that Her Majesty's Government approve your note to Prince Cariati and the step which has been taken by you and Sir William Parker.

I am, &c.

Lord Napier.

PALMERSTON.

No. 39.—Consul Goodwin to Viscount Palmerston.—(Rec. Sept. 23.)

MY LORD,

Palermo, September 15, 1848.

As a French steamer is about to proceed to Marseilles direct I think it right to avail myself of her to acquaint your Lordship with the present state of affairs by writing to your Lordship through the medium of Her Majesty's Ambassador at Paris, instead of through the usual medium of Her Majesty's Chargé d'Affaires at Naples.

The President and the Minister for Foreign Affairs have declared to me that this Government engages to suspend hostilities, "salvo pregiudizio alla causa nazionale."

I have now the honour to report that the same functionaries repeated to me yesterday the same declaration with the same salvo in the presence of Captain Corry, of Her Majesty's ship *Superb*, and the Honourable Captain Pelham, of Her Majesty's steam-frigate *Odin*; and further, that these functionaries engaged to suspend hostilities until advices should be received from the Governments of England and France.

I have the honour to inclose to your Lordship No. 108 of the official journal, containing a notification from the Minister of the Interior to the following effect:

"England and France have imposed an armistice on the King of Naples. This Government having been requested to adhere thereto, without in any wise compromising the Sicilian cause, has replied in the affirmative. Meantime the Government does not cease from the armament, in order that it may better sustain the rights of Sicily in every case."

I have, &c.

Viscount Palmerston, G.C.B.

JNO. GOODWIN.

(Inclosure.)—Extract from the "Governo del Regno di Sicilia."

Official Bulletin of the Morning.

(Translation.)

Palermo, September 13, 1848.

ENGLAND and France have imposed the armistice on the King of Naples; and this Government having been asked if it adhered thereto, without committing the Sicilian cause in any way, has replied in the affirmative.

The Government in the meantime has not discontinued the armament, that it may in every case better maintain the rights of Sicily.

The Minister of the Interior and of Public Safety,

VITO D'ONDES REGGIO.

No. 40.—Lord Napier to Viscount Palmerston.—(Rec. September 23.)

MY LORD,

Naples, September 13, 1848.

I HAVE the honour to submit to your Lordship copy of an

instruction to Her Majesty's Consul at Palermo, apprising him of the overtures made by the Legations of Great Britain and France to the Neapolitan Government, with the view of bringing about a cessation of hostilities.

I have directed Mr. Goodwin to insist with the Sicilian Government on the necessity of arresting all offensive movements on their side, and preparing the Parliament and the public for the unprejudiced consideration of the terms which may be recommended by the British and French Cabinets.

I have, &c.

Viscount Palmerston, G.C.B.

NAPIER.

(Inclosure.)—Lord Napier to Consul Goodwin.

SIR,

Naples, September 11, 1848.

I AVAIL myself of the departure of Her Majesty's ship *Superb* for Palermo to inform you that in consequence of the excesses practised by the Neapolitan forces in the capture of Messina, a strong concerted remonstrance has been addressed to the Government of His Sicilian Majesty by the Legations of Great Britain and France.

Vice-Admiral Sir William Parker and Admiral Baudin have pressed upon the consideration of the Neapolitan Cabinet the expediency of concluding an armistice without delay until the opinions of England and France be ascertained, and you will be apprised by the inclosed communications that in case of necessity the advice of the Commanders-in-chief will be supported by force.

In acquainting the Government of Sicily of these particulars, which you will do by reading to Marquis Torreaarsa this despatch and its inclosures, you will urge upon them the necessity of contributing by every means to the suspension of hostilities.

They will do well to prepare the Parliament and the public for the unprejudiced consideration of whatever proposal the mediating Powers may recommend, and to weigh the consequences of an unprovoked renewal of warfare against the Neapolitan Government, which by a concurrence of events favourable to its power has been enabled to bring into the field such an imposing force.

I regret the unavoidable delay in forwarding the present instruction, caused by absence of all the steam-vessels attached to Her Majesty's squadron at the present moment, the last at the Vice-Admiral's disposal having been dispatched to the succour of the fugitives at Messina.

I have, &c.

J. Goodwin, Esq.

NAPIER.

No. 41.—Lord Napier to Viscount Palmerston.—(Rec. September 23.)

MY LORD,

Naples, September 13, 1848.

I HAVE the honour to transmit herewith copy of a letter*

addressed to me by Vice-Admiral Sir William Parker, containing a report from Captain Robb, together with its inclosures, by which your Lordship will learn that General Filangieri has consented to suspend all further hostilities for the present.

I have been assured that on the morning of the 10th instant General Filangieri was instructed by telegraph to accept the overtures of the officers of the respective squadrons for a cessation of operations, but in the meantime to make a dash at Catania and Syracuse before the pacification could be carried into effect.

The loss of the Neapolitans is estimated by Captain Robb at 1,500 killed and wounded, the Neapolitan accounts confess to 1,000.

It would appear certain that the bombardment of the town was commenced without the offer of any conditions, and that it was continued for several hours after the fire of the Sicilian batteries had been silenced and all their colours struck.

The inclosed despatch from Her Majesty's Consul relates that on the 11th instant the excesses of the troops had not entirely ceased, and that Her Majesty's ensign exhibited by the English merchants to protect their lives and dwellings was frequently insulted.

I have brought these facts to the knowledge of his Excellency the Prince of Cariati, to whom I have also communicated Sir William Parker's letter in the accompanying note,* expressive of our common hope that the judicious resolution of General Filangieri will be sanctioned by the approval of the Neapolitan Government.

I have, &c.

Viscount Palmerston, G.C.B.

NAPIER.

(Inclosure.)—Vice-Consul Barker to Lord Napier.

MY LORD,

Gladiator, Messina, September 11, 1848.

ON the 8th instant the Neapolitan troops took full possession of the town and fortified heights.

After burning whole streets they sacked the principal shops and some houses and committed the most unheard of ravages.

It is reported that Milazzo has surrendered to the King's troops.

This morning, 3 Neapolitan steamers and 3 frigates left this port for the southward.

Many complaints have been made by British subjects of insults received from the soldiery. The British ensign hoisted by the English residents for the protection of their property, has been in many instances grossly disrespected.

The Greek Consul in uniform was stabbed in different parts of the body by the soldiers and had his house plundered and burnt down.

The injury done to property is immense, and many British subjects are left houseless.

The plundering of foreigners' houses continues. A fire is still seen in the town.

I have, &c.

For W. W. Barker,

Lord Napier.

ROBERT BARKER.

No. 42.—*The Secretary to the Admiralty to Mr. Addington.*

SIR,

Admiralty, September 23, 1848.

I AM commanded by my Lords Commissioners of the Admiralty to transmit to you herewith for the information of Viscount Palmerston, copies of 2 letters from Vice-Admiral Sir W. Parker, dated Naples, the 13th and 14th instant, with their inclosures in original, relating to the affairs of Naples and Sicily.

I am, &c.

H. U. Addington, Esq.

W. A. B. HAMILTON.

(Inclosure 1.)—*Vice-Admiral Sir W. Parker to the Secretary to the Admiralty.*

SIR,

Hibernia, at Naples, September 13, 1848.

BEGGING to refer you to my letter of the 11th instant, I request you will inform the Lords of the Admiralty that Her Majesty's ship *Superb* sailed on the afternoon of that day with Lord Napier's despatches to Her Majesty's Consul at Palermo, on the subject of the appeal made to the Neapolitan Government by his Lordship and myself on the grounds of humanity, for a temporary armistice between the Neapolitan forces and the Sicilians. The copy of my instructions* to Captain Corry will be found marked No. 1, in the Schedule.

At midnight the *Sidon* returned from Leghorn, bringing Captain Codrington's detailed report of the late insurrection at that place, which was restored to a state of temporary quietude under a compromise between the Government of the Grand Duke and the insurrectionists. As soon as the *Sidon* had received pratique I dispatched her to endeavour to overtake the *Superb* and expedite the letter with which Captain Corry was charged to Palermo, and afterwards to proceed to Messina, in order to ascertain, if possible, the extent of the devastation sustained by the late bombardment, the amount of killed and wounded on both sides, the number of the inhabitants who have returned to their habitations, and some other points connected with the attack which might afford some reason if not a justification of the barbarous and unremitting fire to which it was for so many hours subjected, when no longer resisting.

In the afternoon of the 12th I received Lord Napier's letter

inclosing a copy of Prince Cariati's reply* to his Lordship's note of the 10th, and the translation of a telegraphic message announcing the submission of Milazzo and the capture of the Sicilian steam-vessel *Vesuvio*. This morning, at 6 o'clock, I received, by the French steam-frigate *Panama*, Captain Robb's despatch† of the 11th instant, conveying the satisfactory intelligence that the General commanding the Neapolitan forces had agreed to the joint proposition of himself and the Captain of the French ship *Hercule* for the suspension of hostilities and all ulterior military operations off the coast of Sicily, in order to prevent the effusion of blood, until the Governments of France and England, as mediators, can settle the differences which oppose themselves to a general peace.

Although Prince Cariati would not hold out any promise of the Government agreeing to an armistice, I have reason to think that General Filangieri was prepared by a telegraphic message to accede to a proposal of the nature required by Captains Robb and Nonay.

Captain Belvize, of the French steam-frigate *Panama*, confirms Captain Robb's statement that no terms of capitulation were offered nor any proclamation whatever made to the Sicilians before the bombardment began; that the flags on all their batteries were struck on the 6th, and not a single shot fired on the 7th, when the town was canonaded for 8 hours!

Captain Belvize adds that, on the preceding days, when the fire was returned by the Sicilians, their flag was kept flying at different points, and that when they were enduring this severe bombardment on the 7th, no national colours being hoisted, that a white flag was displayed in more than one place to indicate their non-resistance, which was wholly disregarded.

Captain Robb reports that a division of 3 Neapolitan frigates and 3 steamers proceeded, on the 11th, to Catania, followed by the *Bulldog*, which it was hoped would arrive in time to prevent the Catanese from exposing themselves to the destruction of their town by a resistance to the Neapolitans that would be fruitless, and as a notification appeared last night in the Government paper of Naples, that the royal expedition had received the submission of the people of Catania and had proceeded towards Nota, there is every reason to believe that no troops were landed or force employed against the Catanese.

In consequence of Captain Robb's communications I have addressed the letter‡ numbered 4 to Lord Napier, in the hope that it will not be found necessary to issue any orders to Her Majesty's ships for restraining the hostile operations of the Neapolitans.

Captain Robb has displayed very good judgment in the manner in which he united himself with the captain of the *Hercule* in

* Page 819

† Page 799

‡ Page 799.

proposing to the Neapolitan General a suspension of hostilities. As he was not authorised by me to go to the extent of menacing by force any attempt to continue the unfortunate war, he declined to sign the terms used by the French Admiral in his letter to employ force, but in this extreme case he considerably joined in recommending an armistice which might obtain the influence of the English and French Governments in mediation.

Considering the position in which the rapid succession of events has placed me, by the sudden determination of the French Admiral to employ force to stop the progress of the war, with a feeling also of national sympathy towards the Sicilian people from various associations, I trust the course I have adopted in this peculiar case will neither embarrass Her Majesty's Government or operate against its policy; the whole proceeding being placed on the paramount principle of humanity.

I hope that specific instructions may shortly arrive with regard to the peculiar position in which we now stand.

I have, &c.

The Secretary to the Admiralty.

W. PARKER.

(*Inclosure 2.*)—*Vice-Admiral Parker to the Secretary to the Admiralty.*
SIR, Hibernia, at Naples, September 14, 1848.

I TRANSMIT herewith the copy of a letter this instant received from Captain Robb, of the *Gladiator*, communicating the latest proceedings at Messina, and inclosing copies of 2 letters from Her Majesty's Vice-Consul at Catania, and of a representation from the Municipal Council of that place to the Sicilian Parliament. I have expressed to Captain Robb my full approbation of the manner in which he joined in the proposal for a suspension of hostilities.

I have, &c.

The Secretary to the Admiralty.

W. PARKER.

(*Inclosure 3.*)—*Captain Robb to Vice-Admiral Sir W. Parker.*
SIR, *Gladiator, Messina, September 12, 1848.*

I HAVE the honour to acquaint you, that since my letter to you of yesterday's date nothing of any importance has taken place here. The French ships have gone nearer the Mole, but I have deemed it proper to remain outside, as M. Piraino is still on board, and I do not wish that he be subjected to insult or ill-treatment by the Neapolitans or Sicilians, but I have given him to understand that he must leave this as soon as he has received an answer to his application from the Government of Palermo.

I beg to inclose 2 letters, and the copy of a representation to the Parliament of Palermo, which the Vice-Consul at Catania has sent me.

I have endeavoured to obtain the original protocol, which I objected to agree to, with the French Captain Nonay, and to point out to you the difference that existed between us, but he had sent the original rough copy to Admiral Baudin, and I am only able to state the terms that were used which were nearly to this effect:—"My orders are to oppose with force any further attempts at ulterior operations, if persuasion shall not succeed, and I shall thus oppose further proceedings with force."

As I stated in my letter of yesterday, I declined to act with him in any other way than in using my influence in obtaining a cessation of hostilities, and to which he consented. I am the more particular in this matter, as I have never differed from him on any other point, and in this I was glad that he came over to my wishes and obtained our end at the same time.

Bulldog arrived at Catania, and landed about 500 refugees there last night, and returned here this morning. I sent her on to Malta with the compromised persons named in the accompanying list, but about 400 wished to be sent there, which I thought would embarrass the Government.

I have sent Captain Pelham on account of all that has taken place here, and I await with some anxiety your reply to my letter of yesterday.

All the English have been landed to-day and the town is said to be tranquil.

The expedition which sailed yesterday morning has not returned.

Commander Key reported them off Catania, going in the direction of Syracuse, but as orders were sent by General Filangieri to stop them I have no fear of their making any attack until further orders.

I have, &c.

Vice-Admiral Sir W. Parker.

JOHN ROBB.

(*Inclosure 4.*)—*Vice-Consul Jeans to Captain Robb.*

(Extract.)

Catania, September 10, 1848.

I BEG to inform you that this place, since the receipt of the news that the troops of the King of Naples had entered Messina, has been in a great state of alarm.

Under these circumstances, the wish for British mediation or intervention which has been prevalent here ever since the commencement of the revolution, but which has latterly been dormant in deference to the spirit of resistance prevalent in the fortified and defended cities of Palermo and Messina, is again apparent, and I believe I am not wrong in saying the desire is now universal.

I think it my duty, therefore, to acquaint you with the existence of this feeling, in case you may deem it necessary to communicate

the same to the British authorities at Naples, whom I do not address direct in the absence of any means of communication.

In case the Neapolitan forces proceed to this place, I trust that if there be any British ship of war disposable at Messina, you may feel yourself authorized to order her on here for the protection of British subjects and British property.

Captain Robb.

ROBERT JEANS.

(*Inclosure 5.*)—*Vice-Consul Jeans to Captain Robb.*

SIR, *Catania, September 10, 1848, half-past 12 A.M.*

I BEG to inclose a copy of a communication made me by the President of the Municipal Council of Catania, accompanying the deliberation of that body to appeal to the Sicilian Parliament requesting the intervention of the Governments of Great Britain and France.

In consequence of the wish therein expressed, that its contents be made known to the Commander-in-chief of the respective fleets, I have to request that you will communicate the same to Vice-Admiral Sir William Parker for his information, and also that you will forward the accompanying despatch to Lord Napier by first opportunity.

I have, &c.

Captain Robb.

ROBERT JEANS.

P.S.—I beg also to send you a letter I addressed to you this morning, but detained by the non-departure of the courier.

(*Inclosure 6.*)—*The President of the Municipal Council of Catania to Vice-Consul Jeans.*

SIR, (Translation.) *Catania, September 10, 1848.*

I BEG to forward the accompanying deliberation just issued by this council, through a deputation chosen from the same, and composed of the Vice-President and of Giacomo Gravina, Mario Rizzari, and Carlo Ardizzone, Councillors.

I have, &c.

R. Jeans, Esq.

ALEPIO CANTARELLA.

Deliberation of the Municipal Council of Catania, held in the Session of the 10th September, 1848.

THE COUNCIL,

(Translation.)

HAVING been informed of the disaster that has befallen the illustrious city of Messina, which by an inhuman bombardment from the Neapolitan squadron and the forts in the citadel, has been reduced to a heap of ruins, a new spectacle for history ;

Considering that this city also, because lying on the coast, is exposed to the same cruel disaster which the unhappy Messina has suffered, being unable to oppose a sufficient obstacle to the numerous fleet of Naples ;

Considering that the acts of the fleet and troops of the Neapolitans, in contempt of the rights of humanity and of civilisation, display a decided determination to destroy all those maritime towns which being undefended by vessels of war, cannot but succumb to inevitable fate, more especially as they do not possess those means of defence which Messina, fortified and provided with fortresses, employed for many days ;

Considering that it is well known that the towns and townships of this district have expressed the same desire by means of deputations sent to this Commission of the Executive Power ;

Considering that the feelings of humanity which so much distinguish the 2 High Powers, Great Britain and the French Republic, as well as the sympathy expressed by them for the liberty and independence of Sicily, afford just and laudable motives for an intervention which may prevent the ulterior effusion of blood and the continuance of a destructive and Vandalic war, and especially as Great Britain has ties which bind it to Sicily, for the support of the Constitution and independence of this kingdom ;

Has unanimously resolved to implore the Parliament to request the prompt intervention of the 2 High Powers of Great Britain and the French Republic, to maintain our sacred rights, and to prevent the further effusion of blood, and a war of extermination to both belligerent parties.

It has at the same time resolved, that by means of a deputation composed of the Vice-President, and of the Councillors Giacomo Gravina, Mario Rizzari, and Carlo Ardizzone, this deliberation be officiously communicated to the Consuls of Great Britain and France here resident, requesting them to communicate the same with all speed to their diplomatic superiors, and to the commanders of the fleet for their due information.

ROSARIO MORABITE.

No. 43.—Mr. Addington to the Secretary to the Admiralty.

SIR,

Foreign Office, September 27, 1848.

WITH reference to your letter of the 23rd instant, inclosing 2 despatches from Vice-Admiral Sir William Parker, reporting on the state of affairs between Naples and Sicily, I am directed by Viscount Palmerston to request that you will inform the Lords Commissioners of the Admiralty that Her Majesty's Government entirely approve the course taken in regard to these matters by Sir William Parker, and that he should be directed to maintain the armistice until further instructed.

The Secretary to the Admiralty.

H. U. ADDINGTON.

No. 44.—Lord Napier to Viscount Palmerston.—(Rec. September 27.)

MY LORD,

Naples, September 17, 1848.

WITH reference to my despatches to your Lordship of the 12th instant, covering a preliminary reply of the Neapolitan Government to the proposals for a suspension of hostilities, and of the 13th instant, inclosing a letter from General Filangieri to the officers in command of the English and French ships of war at Messina acceding to their overtures for that object, I have now the honour to submit to your Lordship herewith copy of 2 notes from his Excellency the Prince of Cariati under date of the 13th and 14th instant.

The former again invokes for the Neapolitan Government the rights of an independent State, and that perfect freedom of action towards its revolted subjects which have been conceded to it by the declarations of the Cabinets of Great Britain and France.

The latter intimates that the temporary cessation of operations agreed to by General Filangieri was merely in expectation of instructions from his Government, and claims for the Neapolitan Commander the liberty to continue his measures for the reduction of the island, which would be carried out with the least possible effusion of blood.

I contented myself with simply acknowledging the receipt of these communications and imparting them to Vice-Admiral Sir William Parker, who has returned the accompanying reply, which I have transmitted without further observations to the Neapolitan Government.

The answer of M. de Rayneval in concert with Admiral Baudin is to the same purport.

I have, &c.

Viscount Palmerston, G.C.B.

NAPIER.

(Inclosure 1.)—Prince Cariati to Lord Napier.

(Translation.)

Naples, September 13, 1848.

FROM the moment that the Prince of Satriano, Commander-in-chief of the expedition against Sicily, had taken possession of Messina, he devoted every care to the promulgation of those measures which might tend to insure the peace and prosperity of that town to which even the Commanders of the English and French ships stationed in the Faro have borne witness. Such moderate conduct, and the satisfaction evinced thereat by the inhabitants of Messina, inspired not only a hope but even a certainty that the greater part of the island, wearied by the yoke imposed upon them by a turbulent faction, would have of its own accord returned under the paternal dominion of its legitimate Sovereign without further effusion of blood.

But contrary to all expectation, and notwithstanding the explicit

assurance of the English Minister to the King's Envoy in London, whose sincerity certainly cannot be called in question, the Commanders of the naval forces of England and France appeared on the 11th instant before the Prince of Satriano, and declared, in consequence of orders received from their respective Admirals, that although they regarded the occupation of Messina and Milazzo as a *fait accompli*, they required of him to suspend hostilities and every other military operation upon the coast of Sicily until the Governments of France and England should have succeeded in smoothing the difficulties which at present exist in the way of a general pacification.

The Undersigned, &c. has already communicated to Lord Napier, &c., in his note of the 11th instant, the strong reasons whereby he is convinced that the Admiral is not authorised to oppose any kind of obstacle to the operations of the troops of His Majesty in Sicily, and that Admiral Baudin, by adopting the same line of conduct, takes upon himself the responsibility of acts not authorised by his Government. Such a proceeding, independently of its being manifestly opposed to the most sacred prerogatives of a free and independent Sovereign, which ought never to be forgotten or derogated from, especially between friendly Powers, could under the present circumstances produce no other result than to render impossible, or at least most difficult, the concord which the Government of His Majesty is desirous of establishing with Sicily; because if the intervention of England and France were to become known to the evil-disposed persons of the island, they would become still more audacious, and the offers of submission which would certainly have arrived one after the another, as has already been the case with Milazzo and Lipari, and probably by this time with other parts of Sicily, would entirely cease; and besides the delay experienced in the operations of Prince Satriano would be the cause of greater effusion of blood, by giving time to the opposite party to concentrate their forces.

The Undersigned is too well aware of the good sense and justice of the Chargé d'Affaires and of the Admirals, not to hope that after maturely considering the above-mentioned arguments they will hasten to send the necessary orders to their subordinates to desist from their present purpose and to leave the Prince Satriano the full liberty of acting in accordance with the instructions of his Government, which are exclusively directed to the re-establishment of order and peace in Sicily, always avoiding as much as may be possible the effusion of blood.

Hoping for a prompt answer, the Undersigned, &c.

Lord Napier.

PE. DI CARIATI.

(*Inclosure 2.*)—*Prince Cariati to Lord Napier.*

(Translation.)

Naples, September 14, 1848.

THE Undersigned, &c. in reply to the note of Lord Napier, &c. hastens to point out to him that Prince Satriano by his letter to Captain Robb has not bound himself to any line of conduct, as the Chargé d'Affaires will see by the copy of the letter herewith inclosed; but he has only confined himself to an assurance that he would have communicated to the Royal Government the request of the English and French commanders, and that he would have waited for instructions on the subject.

The Royal Government could not but approve for the present the conduct of Prince Satriano. He will continue to carry out his designs in order to accomplish the wished-for subjection of Sicily, it always having been the Government's desire to avoid as much as possible the effusion of blood; and he hopes to succeed in his object, if not in the whole at least in great part, as he has reason to believe that spontaneous submissions would take place successively should not his designs be interfered with by the hopes which may be excited by the misinterpretation of the step taken by the French and English commanders at Messina.

The Royal Government will always be grateful not only to Admiral Parker and the British Legation, but to whoever can with his good offices and influence in Sicily contribute to the submission of the other cities of the island.

The Undersigned, &c.

Lord Napier.

PE. DI CARIATI.

(*Inclosure 3.*)—*Vice-Admiral Sir W. Parker to Lord Napier.*

MY LORD,

Hibernia, at Naples, September 16, 1848.

I HAVE had the honour to receive your Lordship's letter of yesterday transmitting the copies of 2 notes from his Excellency the Prince of Cariati on the subject of the continuance of hostile operations in Sicily.

By the latest intelligence received at Naples no doubt remains that the mediation of France and England has been accepted by Austria for the adjustment of the differences between that Power and the Italian States.

It may therefore be confidently expected that the mediating Powers acting in concert will be disposed to endeavour to put a stop by negotiation to the unfortunate contentions between the Sicilians and the Neapolitan forces.

It is unfortunately also certain by the accounts received from every quarter that the late calamitous bombardment of Messina has heightened the exasperation of the Sicilians to the determination of resisting every inch of ground, and to make their last stand in the

mountains of their country if driven from its coasts. From such a consummation nothing can be contemplated but a long succession of sanguinary conflicts, ruin, and desolation.

A few days will probably bring the expected instructions to the French and English squadrons from their respective Governments in this peculiar question. Humanity therefore impels me through the medium of your Lordship to urge more strongly than ever on the Neapolitan Government the continuance of the truce which was proposed jointly by the French and English captains at Messina, and conditionally agreed to by the Prince of Satriano on the 11th instant.

The Sicilians must of course conform to its terms.

It is a measure instigated by a combination of pressing circumstances; humanity demands it; and I repeat my hopes that it will not become necessary for us to enforce it.

I have, &c.

Lord Napier.

W. PARKER.

No. 45.—The Secretary to the Admiralty to Mr. Addington.

SIR,

Admiralty, October 3, 1848.

I AM commanded by my Lords Commissioners of the Admiralty to send you herewith for the information of Viscount Palmerston, copies of a letter from Vice-Admiral Sir W. Parker, dated Naples, the 21st of last month, and of its inclosures, relative to the affairs between Naples and Sicily.

I am, &c.

H. U. Addington, Esq.

W. A. B. HAMILTON.

(Inclosure 1.)—Vice-Admiral Sir W. Parker to the Secretary to the Admiralty.

(Extract.)

Hibernia, at Naples, September 21, 1848.

I INCLOSE copies of the latest accounts received from Captain Robb respecting the proceedings at Messina, in which it appears that the Neapolitan General had received orders to observe the terms of the protocol agreed on by Captains Nonay and Robb on the 11th instant.

The Secretary to the Admiralty.

W. PARKER.

(Inclosure 2.)—Captain Robb to Vice-Admiral Sir W. Parker.

SIR,

Gladiator, Messina, September 14, 1848.

I HAVE the honour to acknowledge the receipt of your letter, and beg to acquaint you that nothing of much importance has taken place since the departure of the French packet.

The Neapolitan squadron returned from Syracuse yesterday morning without having landed. This morning a French merchant steam-vessel arrived from Palermo, having landed at that place

arms and ammunition from Toulon. She brought a captain as deputy from the Government of Palermo, on which General Filangieri required an explanation from Captain Nonay.

The French steam-packet from Naples arrived this morning, and the *Sidon* this afternoon.

It is my intention to leave this at 4 o'clock to-morrow morning for Catania and Syracuse and return during the night, as it is most important to have the minds of the Sicilians tranquil on the question of the armistice, lest they compromise us and themselves by some piece of folly.

If Captain Nonay had a French steamer here he would send her to accompany me, but as he has not I will take him in this ship and carry on this arrangement together.

I felt much satisfaction at the receipt of your letter to-day, and it removed much anxiety from my mind, in having engaged in the suspension of hostilities in some degree on my own responsibility, but the case was so urgent that I was obliged to act at once or not at all.

It is impossible to estimate the loss of life and property among the Sicilians. The reported loss of life is not great, but the loss of property, public and private, is immense. The whole suburbs from within 4 miles of the town are entirely burnt down, and there are very few houses that have escaped shot and shell.

Many of the people who had fled to Palermo have not yet returned to the town. Very many are houseless and have lost all their property, but there are a great many who have returned to the town.

The Sicilian colours were flying on the forts at dusk on the 6th instant, and were not at all hoisted on the morning of the 7th, and the bombardment of the town was continued although no flags were hoisted. The flags had been hoisted on all the forts on the preceding day.

No white flags nor any other demonstration of surrender were shown at any time until about 2 P.M. (when the Neapolitan flag was hoisted on the Carcere battery) nor during the whole time, from 5h. 30m. A.M. until 1h. 30m. P.M. was a single shot fired from the battery.

I have, &c.

Vice-Admiral Sir W. Parker.

JOHN ROBB.

(Inclosure 3.)—*Captain Robb to Vice-Admiral Sir W. Parker.*

(Extract.)

Gladiator, *Messina*, September 17, 1848.

I HAVE the honour to acquaint you that everything has remained quiet here since the departure of the *Sidon*.

Yesterday morning the *Jemmapes* and *Jena*, French ships of the line, and the *Descartes* frigate, arrived from Ustica, and in the

evening the French frigate *Pomone* went to Catania and Syracuse to endeavour to stop the people from any acts of aggression.

As I expected the *Bulldog* to call there I did not send an officer; and after the *Sidon* sailed I did not proceed there in the *Gladiator*, as I had been informed that a telegraphic despatch had been sent from Palermo to order them to abstain from hostilities, and which has since been confirmed by the arrival of the *Bulldog* last night in quarantine, and it was not until late to-day that I got my letters.

The Neapolitan General Filangieri has received instructions from the Neapolitan Government to continue the terms of the protocol agreed on by Captain Nonay and myself; and from what the Vice-Consul at Catania writes in the inclosed letter, I do not fear for any collision until some negotiation may take place to settle the Sicilian affairs.

This afternoon the *Panama* French steam-frigate arrived from Palermo with the flag of Rear-Admiral Tréhouart. I waited on the Admiral and told him my intention of sending the *Bulldog* to you in the afternoon.

We have now 3 sail of the line and 2 steam-frigates here, and 1 screw steam-frigate at Catania *en route* for Syracuse, to return here to-morrow or next day.

Everything appears to have become so tranquil in the town that I have this day allowed officers to go on shore on leave in their proper uniforms.

Several Neapolitan steam-vessels and gunboats have been moving about, so that their numbers are daily changing; but there are here at present in the Mole, 3 frigates, 7 steamers, and all the gun-boats taken from the Sicilians.

Vice-Admiral Sir W. Parker.

JOHN ROBB.

No. 46.—Viscount Palmerston to Lord Napier.

MY LORD,

Foreign Office, October 18, 1848.

I HAVE to instruct your Lordship to transmit to me the most detailed information which can be obtained as to the barbarities committed on each side during the conflict at Messina, and as to the extent of the devastation committed on houses and property by the Neapolitan cannonade and bombardment and by the troops.

I am, &c.

Lord Napier.

PALMERSTON.

No. 47.—Lord Napier to Viscount Palmerston.—(Rec. November 1.)
(Extract.)

Naples, October 18, 1848.

IN no part of Sicily has there been the slightest symptom of reaction, or any manifestation of a disposition towards a reconciliation with the reigning Sovereign of Naples; and the accompanying extract

of a letter from Captain Robb offers a melancholy picture of the desolation which surrounds the only city which yields a forced obedience to his authority.

Viscount Palmerston, G.C.B.

NAPIER.

(*Inclosure.*)—*Captain Robb to Vice-Admiral Sir W. Parker.*

(Extract.)

Messina, October 12, 1848.

It is really sad to go out into the country, when at this season of the year it is usually so gratifying, in the direction of Catania, where the scourge of war has devastated for the space of 4 miles from the gates of Messina.

Not a house is standing. I do not speak figuratively, but literally, every house, church, &c., on the road and off the road have been destroyed, to say nothing of the destruction of two-thirds of the town of Messina.

Vice-Admiral Sir W. Parker.

JOHN ROBB.

No. 48.—Lord Napier to Viscount Palmerston.—(Rec. December 6.)

MY LORD,

Naples, November 27, 1848.

IN conformity with the orders conveyed to me in your Lordship's despatch of the 18th ultimo, I have addressed the accompanying instruction to Her Majesty's Consul at Messina, desiring to have a detailed account of the barbarities practised on either side during the late contest, and an estimate of all the losses inflicted by the war.

I have, &c.

Viscount Palmerston, G.C.B.

NAPIER.

(*Inclosure.*)—*Lord Napier to Consul Barker.*

(Extract.)

Naples, November 13, 1848.

I HAVE been instructed to forward to Viscount Palmerston a detailed account of the barbarities committed on either side during the late siege and capture of Messina, and of the extent of devastation caused on houses and property by the bombardment and cannonade and by the troops.

W. Barker, Esq.

NAPIER.

No. 49.—The Hon. W. Temple to Viscount Palmerston.

(Received January 19, 1849.)

MY LORD,

Naples, December 18, 1848.

I HAVE the honour of inclosing to your Lordship herewith the copy of a despatch addressed to me by Her Majesty's Consul at Messina, giving some details of the barbarities committed during the capture of Messina upon the defenceless and unarmed part of the population, and of the extent of the devastation caused by the bombardment and by the royal troops.

I also transmit copies of 2 inclosures which accompanied it, the

one containing an estimate of the losses sustained by the British residents, and the other containing a list communicated by the foreign Consuls, of the losses sustained by their respective countrymen in consequence of the bombardment, pillage, and conflagration of the town and its suburbs.

It does not appear that any proclamation was issued by the Neapolitan Government or officer in command to the inhabitants of Messina before the attack commenced, nor were any summons or any conditions previously offered to them, so that they had not the alternative given to them of saving their town from destruction by a timely submission, even had they been so inclined.

The greater portion of the damage suffered by the town was inflicted by the bombardment, which continued for 8 hours after all resistance had ceased on the part of the Sicilians and the flags on their forts had been struck; and it was not till this bombardment had ceased that the troops landed and attacked, pillaged, and burnt the habitations in the suburbs and the adjacent country.

Admiral Baudin has informed me that he had himself personally inspected the town of Messina and its neighbourhood to satisfy himself of what had really taken place, and that it was evident to him that the principal destruction of life and property was carried on, not for any legitimate object of warfare, but principally for the sole purpose of destroying the inhabitants and of plundering and burning their habitations, and probably with a view also of striking other towns with terror.

Mr. Barker has stated that he has found much difficulty in obtaining accurate information upon the subject from the survivors, from their fear that if it were known that they had made such communications they might thereby incur the resentment of the Neapolitan authorities.

I have, &c.

Viscount Palmerston, G.C.B.

W. TEMPLE.

(Inclosure 1.)—Consul Barker to the Hon. W. Temple.

SIR,

Messina, December 14, 1848.

IN compliance with the instructions received in a despatch from the Right Hon. Lord Napier dated the 13th November, I have the honour to forward, for the information of Viscount Palmerston, a detailed account of the barbarities committed during the late capture of Messina, and of the extent of devastation caused by the bombardment and by the royal troops.

The inclosed statement No. 1 contains an estimate of the losses sustained by the British residents by bombardment, sack, and conflagration.

From some of the foreign Consuls I have received lists of damages sustained by their respective countrymen, as per Inclosure No. 2.

It is almost impossible to make any approximate calculation of the sacrifice of Sicilian property, but it is estimated by competent persons at 5,000,000 of dollars.

The treatment which the prisoners and people received who fell into the hands of the troops was most barbarous, as will be seen in the sequel.

I have not been able to ascertain whether any soldiers have been made prisoners and how they are treated by the Sicilians; none were detained after the 6th September.

The sack and conflagration commenced about 3 miles south of the town, and with the exception of 12 or 14 houses the fire consumed the whole suburbs to the end of the Strada Cardinis, leaving an extent of 3 miles, and one-third of the houses of Messina in a state of ruin. The *Monts de Piété* of Santo Angelo de Rossi and Monticello were spoliated of their pledges, and the latter was set on fire. The village of the Santo and the portion of the Cassalotto di Camari were pillaged and burnt to the ground. The cottages of several poor peasants spread over a large tract of land were also reduced to ashes, and the cattle killed. The greater part of the booty was shipped in small boats for Calabria. I calculate that one-third of the inhabitants are left houseless and in penury.

On the 7th September the troops had full possession of the town, but the sack continued until the morning of the 8th. Order was partially restored on the 9th.

I might relate numerous cases of peculiar cruelty which have been reported to me, but will confine myself to a few which I know to be authentic.

B. Calalro, an industrious peasant, and his family were taken prisoners while endeavouring to escape from their cottage which had been set on fire. As they were being escorted into the citadel some soldiers armed with clubs knocked Calalro and his son-in-law down dead in the presence of their respective wives and children.

Francisco Bombace, a countryman about 80 years of age, was killed in his sick bed.

Litterio Russo, a dyer, abandoned his house, but was unable to remove his sick daughter to a place of safety; on returning home he found that she had been assassinated, her head and breasts having been severed from the body.

Antonio Grambio, apothecary to the civic hospital, was trying to escape with his son Giuseppe and Antonio Cermito his nephew, the soldiers prevented him and demanded his money; he gave them 100 ounces, but the son and nephew were shot at his feet.

The daughter of Giacomo ——— and several other females who had sheltered themselves in the church of the Magdalen were violated and then shot.

About 30 lame people who had been taken out of the hospital

of Cola Reale were burnt to death in the Magdalen. It is supposed that a great number of people lost their lives in this church, but it is difficult to get correct information as the convent and church were burnt down.

Two females were violated and then shot in the church of G. M. del Giacato.

The chaplain Demaggio of St. Clemente was shot in the church.

Giuseppe Andò and his daughter clasped in his arms were shot dead. The house he inhabited was set on fire, and 3 persons who were sheltered there were burnt to death.

Giacomo Severino and his baby, Luigi Parisi, a lunatic, and Onagio Amato, a dwarf, were killed by the soldiers.

At the Zaera a man and his wife were thrown out of the balcony and then shot.

A lame man, in his vain efforts to escape, was shot in the orchard of the Magdalen.

A countryman of M. Aini's was killed in a grotto, the corpse was surrounded with filth and a biscuit placed in the mouth.

Four lame people were killed in the hospital of Cola Reale.

A Swiss residing in Messina was killed at his country house.

It is difficult to ascertain the number of persons that were burnt to death or shot by the soldiers, as the greater part of the people who inhabited that part of the town which is now destroyed went to Palermo or Catania.

I have no reason to believe that Swiss soldiers were put to death in cold blood and their flesh devoured and sold in the public markets, but I can assert that on the 3rd of September the bodies of 2 soldiers killed in the combat were mutilated by the rabble and their limbs carried about the town. With the exception of this inhuman parade by the irritated populace, I have not heard that the Sicilians committed other acts of barbarism.

The aspect of the city and of the surrounding district where the troops passed is most awful; for nearly 3 miles nothing meets the eye but desolation.

In the town almost every house and church sustained more or less injury by the bombardment. Some of the buildings on the Marina suffered immense damage. Several palaces and houses were destroyed by projectiles fired from the citadel.

With the exception of M. G. M. Rilian, the Greek and Bavarian Consul (whose house was plundered and himself stabbed by soldiers), the residences and persons of foreign Consuls were not molested. The churches of the Speosi, Magdalen, St. Dominico, and a portion of St. Filippo Neri were spoliated of their plate and then destroyed by fire. Some soldiers entered the church of St. Clemente, threw the sacred bread on the floor and carried away the plate and jewels.

The firing from the town and from the batteries ceased on the

night of the 6th; and at daylight on the 7th, although all the flags were struck on the forts and in the town, the bombardment began, and was continued until after noon, without any interruption, and without a single shot being fired from the batteries within the town. The consequence of this wanton bombardment was the destruction of the principal part of the town, which was set on fire in 11 different places and in every direction. The hotels, palaces, and houses on the Marina, although in no degree exposed, have all suffered very severely. The Senate-house, one of the finest buildings on the Marina was burnt, and most of the principal buildings and the town suffered severely from the conflagration on the 7th more than they had done during the whole of the preceding period of the civil war.

In framing this relation for Her Majesty's Government, I have consulted Captain John Robb of Her Majesty's ship *Gladiator*, and other persons worthy of confidence. I have, &c.

The Hon. W. Temple.

W. W. BARKER.

(*Inclosure 2.*)—*Losses sustained by the British Residents during the late capture of Messina, caused by the bombardment, sack and conflagration.*

	Oz.		Oz.
Luigi Camilleri Grech ..	142	Maria Pierce	400
Ditto ditto	1,600	Thomas Hallam	8,209
Gioachino Grima	385	Marianne Barrester ..	160
Crisafo Guirti	300	James Gillam	240
Joseph Richards	450	J. B. Stulzer	1,500
Salvatore Gattruggeri ..	990	G. B. Stuart	675
Alessandro Mussuri ..	80	Marianne Barrett	4,000
Famiglia Attard	217	John Causton	730
Leondario Basile	400	John C. Cailler	400
George P. Allsopp	160	S. and M. Gamble	1,500
William Bygrave	650	Thomas Chialton	50
Joseph Pitts	4,529	Marianne Galifano	400
Antony Catarmia	1,700	Francis Thride (not known)	
Richard Poppleton	1,350	Joseph Battaglia	330
Samuel Hammet	1,100	Conte A. Stagno	360
Richard Prece	600	William Sanderson	500
Gius. Gattruggeri	6,042	G. B. Mercieca	200
Thomas Child	400	Francis Thorey	52
William Richards	300	F. and M. Camelleri ..	600
Henry B. Barrett	1,500	A. Malthey	320
Thomas Poppleton	800	Edward Oates	100
		Total Oz.	44,421

W. W. BARKER.

(Inclosure 3.)—*List received from some of the Foreign Consuls of losses sustained by their respective countrymen during the late capture of Messina.*

Messina, December 14, 1848.

	Oz.
Consular Agent of Portugal	2,058
Consul of Greece and Bavaria.. ..	197
Consul of Lubeck and Bremen	2,470
Consul of Roman States	533
Consul of Belgium	307
Consul of Sardinia	1,509
Consul of Hanover	491

Oz. 7,565

W. W. BARKER.

ACT of the British Parliament, "to extend the Provisions of the Designs Act, 1850, and to give Protection from Piracy to Persons exhibiting new Inventions in the Exhibition of the Works of Industry of all Nations in 1851."*

[14 Vict. cap. 8.]

[April 11, 1851.]

WHEREAS it is expedient that such protection as hereinafter mentioned should be afforded to persons desirous of exhibiting new inventions in the Exhibition of the Works of Industry of all Nations in 1851: be it therefore enacted by the Queen's most excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

I. Any new invention for which letters patent might lawfully be granted may at any time during the year 1851, but not afterwards, be publicly exhibited in any place previously certified by the Lords of the Committee of Privy Council for Trade and Foreign Plantations to be a place of exhibition within the meaning of the Designs Act, 1850 [cap. 104], without prejudice to the validity of any letters patent to be thereafter, during the term of the provisional registration hereinafter mentioned, granted for such invention to the true and first inventor thereof: Provided always that such invention has previously to such public exhibition thereof been provisionally registered in manner hereinafter mentioned; and provided also, that the same be not otherwise publicly exhibited or used by or with the consent of the inventor prior to the granting of any such letters patent as aforesaid, except as hereinafter mentioned: Provided also,

that no sale or transfer, or contract for sale or transfer, of the right to or benefit of any invention so provisionally registered, or of the rights acquired under this Act, or to be acquired under any letters patent to be granted for such invention, shall be deemed a use of such invention; and the publication of any account or description of such invention in any catalogue, paper, newspaper, periodical, or otherwise shall not affect the validity of any letters patent to be during such term granted as aforesaid.

II. The public trial or exhibition of any such invention as aforesaid (being an invention for purposes of agriculture or horticulture), which shall be certified by the Lords of the said Committee to have taken place under the direction of the Commissioners for the Exhibition of 1851 for purposes connected with the exhibition thereof, in such place of public exhibition as aforesaid, whether such trial or exhibition take place before or after the passing of this Act, shall not prevent the provisional registration of such invention under this Act, nor prejudice or affect the validity of any letters patent to be granted for such invention during such term as aforesaid.

III. Her Majesty's Attorney-General, or such person or persons as he may from time to time appoint to issue certificates under this Act, on being furnished with a description in writing, signed by or on behalf of the person claiming to be the true and first inventor within this realm of any new invention intended to be exhibited in such place of public exhibition as aforesaid, and on being satisfied that such invention is proper to be so exhibited, and that the description in writing so furnished describes the nature of the said invention so intended to be exhibited, and in what manner the same is to be performed, shall give a certificate in writing, under the hand or hands of such Attorney-General or the person or persons appointed as aforesaid, for the provisional registration of such invention.

IV. The registrar of designs acting under the Designs Act, 1850, upon receiving such certificate, and being furnished with the name and place of address of the person by or on whose behalf the registration is desired, shall register such certificate, name, and place of address, and the invention to which any certificate so registered relates shall be deemed to be provisionally registered, and the registration thereof shall continue in force for the term of 1 year from the time of the same being so registered, and the registrar shall certify, under his hand and seal, that such invention has been provisionally registered, and the date of such registration, and the name and place of address of the person by or on whose behalf the registration was effected: Provided always, that if any invention so provisionally registered be not actually exhibited in such place of public exhibition as aforesaid, or if the same invention be in use by others at the time of the said registration, or if the person by or on whose

behalf the said registration has been effected be not the first and true inventor thereof, such registration shall be absolutely void.

V. The description in writing of any invention so provisionally registered shall be preserved in such manner and subject to such regulations as the Attorney-General shall direct, and any invention so provisionally registered, and exhibited at such place of public exhibition as aforesaid, shall have the words "provisionally registered" marked thereon or attached thereto, with the date of the said registration.

VI. Such provisional registration as aforesaid shall during the term thereof confer on the inventor of such invention, with respect thereto, all the protection against piracy and other benefits which by the Designs Act, 1850, are conferred upon the proprietors of designs provisionally registered thereunder with respect to such designs; and so long as such provisional registration continues in force the penalties and provisions of the Designs Act, 1842 [cap. 100],* for preventing the piracy of designs shall extend to the acts, matters, and things next hereinafter mentioned, as fully and effectually as if those penalties and provisions had been re-enacted in this Act, and expressly extended to such acts, matters, and things; that is to say, to the making, using, exercising, or vending the invention so provisionally registered, to the practising the same or any part thereof, to the counterfeiting, imitating, or resembling the same, to the making additions thereto or subtraction from the same, without the consent in writing of the person by or on whose behalf the said invention was so provisionally registered.

VII. All letters patent to be during the term of any such provisional registration granted in respect of any invention so provisionally registered shall, notwithstanding the registration thereof, and notwithstanding the exhibition thereof in such place of public exhibition or otherwise as aforesaid, be of the same validity as if such invention had not been so registered or exhibited; and it shall be lawful for the Lord High Chancellor, if he think fit, on the grant of any letters patent to any inventor in respect of any invention provisionally registered under this Act, to cause such letters patent to be sealed as of the day of such provisional registration, and to bear date the day of such provisional registration, the Act of the 18th year of King Henry VI or any other Act notwithstanding.

VIII. Notwithstanding anything contained in the Designs Act 1850, and the 2 Acts therein referred to, and called the Designs Act, 1842 [cap. 100],* and the Designs Act, 1843 [cap. 65],† the protection intended to be by those Acts extended to the proprietors of new and original designs shall be extended to the proprietors of all new and original designs which shall be provisionally regis-

* Vol. XXXIX. Page 1122.

† Vol. XXXI. Page 1227.

tered and exhibited in such place of public exhibition as aforesaid, notwithstanding that such designs may have been previously published or applied elsewhere than in the United Kingdom of Great Britain and Ireland; provided that such design or any article to which the same has been applied have not been publicly sold or exposed for sale previously to such exhibition thereof as aforesaid.

XI. All the provisions of the Designs Act, 1850, and the provisions incorporated therewith, relating or applicable to the designs to be provisionally registered thereunder, or to the proprietors of such designs, except the provision for extending the term of any such provisional registration, shall, so far as the same are not repugnant to, or inconsistent with the provisions of this Act, apply to the inventions to be provisionally registered under this Act, and to the inventors thereof; and the said Designs Act and this Act shall be construed together as one Act.

X. This Act may be cited as "The Protection of Inventions Act, 1851."

ACT of the British Parliament, "to prevent the Assumption of certain Ecclesiastical Titles in respect of Places in the United Kingdom."

[14 & 15 Vict. cap. 60.]

[August 1, 1851.]

WHEREAS divers of Her Majesty's Roman Catholic subjects have assumed to themselves the titles of Archbishop and Bishops of a pretended province, and of pretended sees or dioceses, within the United Kingdom, under colour of an alleged authority given to them for that purpose by certain briefs, rescripts, or letters apostolical from the See of Rome, and particularly by a certain brief, rescript, or letters apostolical purporting to have been given at Rome on the 29th of September, 1850; and whereas by the Act of the 10th year of King George IV. [chap. 7], after reciting that the Protestant Episcopal Church of England and Ireland, and the doctrine, discipline, and government thereof, and likewise the Protestant Presbyterian Church of Scotland, and the doctrine, discipline, and government thereof, were by the respective Acts of Union of England and Scotland, and of Great Britain and Ireland, established permanently and inviolably, and that the right and title of archbishops to their respective provinces, of bishops to their sees, and of deans to their deaneries, as well in England as in Ireland, had been settled and established by law, it was enacted, that if any person after the commencement of that Act, other than the person thereunto authorised by law, should assume or use the name, style, or

title of archbishop of any province, bishop of any bishoprick, or dean of any deanery, in England or Ireland, he should for every such offence forfeit and pay the sum of 100*l.*; and whereas it may be doubted whether the recited enactment extends to the assumption of the title of archbishop or bishop of a pretended province or diocese, or archbishop or bishop of a city, place, or territory; or dean of any pretended deanery in England or Ireland, not being the see, province, or diocese of any archbishop or bishop or deanery of any dean recognised by law; but the attempt to establish, under colour of authority from the See of Rome or otherwise, such pretended sees, provinces, dioceses, or deaneries, is illegal and void. And whereas it is expedient to prohibit the assumption of such titles in respect of any places within the United Kingdom; be it therefore declared and enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, that—

I. All such briefs, rescripts, or letters apostolical, and all and every the jurisdiction, authority, pre-eminence, or title conferred or pretended to be conferred thereby, are and shall be and be deemed unlawful and void.

II. And be it enacted, that if, after the passing of this Act, any person shall obtain or cause to be procured from the Bishop or See of Rome, or shall publish or put in use within any part of the United Kingdom, any such bull, brief, rescript, or letters apostolical, or any other instrument or writing, for the purpose of constituting such archbishops or bishops of such pretended provinces, sees, or dioceses within the United Kingdom, or if any person, other than a person thereunto authorised by law in respect of an archbishopric, bishopric, or deanery of the United Church of England and Ireland, assume or use the name, style, or title of archbishop, bishop, or dean of any city, town, or place, or of any territory or district (under any designation or description whatsoever) in the United Kingdom, whether such city, town, or place, or such territory or district, be or be not the see or the province, or co-extensive with the province, of any archbishop, or the see or the diocese, or co-extensive with the diocese, of any bishop, or the seat or place of the church of any dean, or co-extensive with any deanery, of the said United Church, the person so offending shall for every such offence forfeit and pay the sum of 100*l.*, to be recovered as penalties imposed by the recited Act may be recovered under the provisions thereof, or by action of debt at the suit of any person in one of Her Majesty's superior courts of law, with the consent of Her Majesty's Attorney General in England and Ireland, or Her Majesty's Advocate in Scotland, as the case may be.

III. This Act shall not extend or apply to the assumption or use by any bishop of the Protestant Episcopal Church in Scotland exercising episcopal functions within some district or place in Scotland of any name, style, or title in respect of such district or place; but nothing herein contained shall be taken to give any right to any such bishop to assume or use any name, style, or title which he is not now by law entitled to assume or use.

IV. Be it enacted, that nothing herein contained shall be construed to annul, repeal, or in any manner affect any provision contained in an Act passed in the 8th year of the reign of her present Majesty, intituled "An Act for the more effectual application of Charitable Donations and Bequests in Ireland."

ACT of the British Parliament, "for the Settlement of the Boundaries between the Provinces of Canada and New Brunswick."

[14 & 15 Vict. cap. 63.]

[August 7, 1851.]

WHEREAS certain disputes have existed respecting the boundary line between the provinces of Canada and New Brunswick in North America; and pending such disputes certain funds have arisen from the disputed territory, and have been received by the Governments of such provinces respectively: And whereas, with a view to the settlement of such disputes, the Governor-General of Canada and the Lieutenant-Governor of New Brunswick, by the advice of their respective Councils, agreed that the matter in dispute should be referred to arbitrators, who should be directed to report to Her Majesty's Government, and that such Governor-General and Lieutenant-Governor should each name an arbitrator on behalf of the said respective provinces, and that such arbitrators should name a third arbitrator, the award to be made by the 3 arbitrators or any 2 of them; and it was also agreed by such Governor-General and Lieutenant-Governor, with the advice aforesaid, that the net proceeds of the funds in the hands of the said Governments arising from the disputed territory should be applied, first, to defray the expenses of the arbitration, second, to defray the necessary expenses of running the (boundary) line as settled (in case such funds should prove insufficient, the expenses to be borne equally by the respective Governments), and, third, the balance of such funds to the improvement of the land and water communication between the Great Falls of the Saint John and the Saint Lawrence: And whereas, in pursuance of the agreement in this behalf, the Governor-General of

Canada named Thomas Falconer, Esquire, to be one of the said arbitrators, and the Lieutenant-Governor of New Brunswick named Travers Twiss, Doctor of Laws, to be another of the said arbitrators, and the said Thomas Falconer and Travers Twiss named the Right Honourable Stephen Lushington, Judge of the Admiralty Court, to act as the third arbitrator: And whereas, on the 17th day of April, 1851, the said Stephen Lushington and Travers Twiss made an award concerning the said boundary, and transmitted the same, together with a plan therein referred to, to the Right Honourable Earl Grey, one of Her Majesty's Principal Secretaries of State, and such award is in the following terms:

"That New Brunswick shall be bounded on the west by the boundary of The United States, as traced by the Commissioners of Boundary under the Treaty of Washington, dated August, 1842, from the source of the Saint Croix to a point near the outlet of Lake Pech-la-wee-kaa-co-nies or Lake Beau, marked A. in the accompanying copy of a part of Plan 17 of the survey of the boundary under the above Treaty; thence by a straight line connecting that point with another point to be determined at the distance of 1 mile due south from the southernmost point of Long Lake; thence by a straight line drawn to the southernmost point of the fiefs Madawaska and Temiscouata, and along the south-eastern boundary of those fiefs to the south-east angle of the same; thence by a meridional line northwards till it meets a line running east and west, and tangent to the height of land dividing waters flowing into the River Rimouski from those tributary to the Saint John; thence along this tangent line eastward until it meets another meridional line tangent to the height of land dividing waters flowing into the River Rimouski from those flowing into the Restigouche River; thence along this meridional line to the 48th parallel of latitude; thence along that parallel to the Mistouche River; and thence down the centre of the stream of that river to the Restigouche; thence down the centre of the stream of the Restigouche to its mouth in the Bay of Chaleurs; and thence through the middle of that bay to the Gulf of the Saint Lawrence; the islands in the said Rivers Mistouche and Restigouche to the mouth of the latter river at Dalhousie being given to New Brunswick:" And whereas it is expedient that the said boundary should be settled in conformity with the said award: Now, therefore, be it enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same. as follows:

I. New Brunswick shall be bounded as in the said award mentioned; and it shall be lawful for one of Her Majesty's Principal Secretaries of State to appoint such person or persons as he may

think fit to ascertain, define, and mark the boundary line between the said province of New Brunswick and the said province of Canada, according to the intent of the said award.

II. The net proceeds of the funds in the hands of the local Governments of the said provinces of Canada and New Brunswick respectively arising from the territory heretofore in dispute between such provinces shall be applied according to the terms hereinbefore mentioned of the said agreement concerning the same.

ACT of the British Parliament "to amend the Law of Evidence."

[Production of Treaties and Official Documents in Courts of Law, &c.]

[14 & 15 Vict. cap. 99.]

[August 7, 1851.]

WHEREAS it is expedient to amend the Law of Evidence in divers particulars: Be it therefore enacted by the Queen's most Excellent Majesty, by and with the advice and consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the authority of the same, as follows:

I. So much of Section I of the Act of the 6th and 7th years of Her present Majesty, chapter 85, as provides that the said Act shall "not render competent any party to any suit, action, or proceeding individually named in the record, or any lessor of the plaintiff, or tenant of premises sought to be recovered in ejectment, or the landlord or other person in whose right any defendant in replevin may make cognizance, or any person in whose immediate and individual behalf any action may be brought or defended, either wholly or in part," is hereby repealed.

II. On the trial of any issue joined, or of any matter or question, or on any inquiry arising in any suit, action, or other proceeding in any court of justice, or before any person having by law, or by consent of parties, authority to hear, receive, and examine evidence, the parties thereto, and the persons in whose behalf any such suit, action, or other proceeding may be brought or defended, shall, except as hereinafter excepted, be competent and compellable to give evidence, either *vivâ voce* or by deposition, according to the practice of the court, on behalf of either or any of the parties to the said suit, action, or other proceeding.

III. But nothing herein contained shall render any person who, in any criminal proceeding, is charged with the commission of any indictable offence, or any offence punishable on summary conviction, competent or compellable to give evidence for or against himself or herself, or shall render any person compellable to answer any question

tending to criminate himself or herself, or shall in any criminal proceeding render any husband competent or compellable to give evidence for or against his wife, or any wife competent or compellable to give evidence for or against her husband.

IV. Nothing herein contained shall apply to any action, suit, proceeding, or bill in any court of common law, or in any ecclesiastical court, or in either House of Parliament, instituted in consequence of adultery, or to any action for breach of promise of marriage.

V. Nothing herein contained shall repeal any provision contained in chapter 26 of the statute passed in the session of Parliament holden in the 7th year of the reign of King William the Fourth and the first year of the reign of Her present Majesty.

VI. Whenever any action or other legal proceeding shall henceforth be pending in any of the superior courts of common law at Westminster or Dublin, or the Court of Common Pleas for the county palatine of Lancaster, or the Court of Pleas for the county of Durham, such court and each of the judges thereof may respectively, on application made for such purpose by either of the litigants, compel the opposite party to allow the party making the application to inspect all documents in the custody or under the control of such opposite party relating to such action or other legal proceeding, and, if necessary, to take examined copies of the same, or to procure the same to be duly stamped, in all cases in which, previous to the passing of this Act, a discovery might have been obtained by filing a bill or by any other proceeding in a court of equity at the instance of the party so making application as aforesaid to the said court or judge.

VII. All Proclamations, Treaties, and other Acts of State of any foreign State or of any British colony, and all judgments, decrees, orders, and other judicial proceedings of any court of justice in any foreign State or in any British colony, and all affidavits, pleadings, and other legal documents filed or deposited in any such court, may be proved in any court of justice, or before any person having by law or by consent of parties authority to hear, receive, and examine evidence, either by examined copies or by copies authenticated as hereinafter mentioned; that is to say, if the document sought to be proved be a Proclamation, Treaty, or other Act of State, the authenticated copy to be admissible in evidence must purport to be sealed with the seal of the foreign State or British colony to which the original document belongs; and if the document sought to be proved be a judgment, decree, order, or other judicial proceeding of any foreign or colonial court, or an affidavit, pleading, or other legal document filed or deposited in any such court, the authenticated copy to be admissible in evidence must purport either to be sealed

with the seal of the foreign or colonial court to which the original document belongs, or, in the event of such court having no seal, to be signed by the judge, or, if there be more than one judge, by any one of the judges of the said court, and such judge shall attach to his signature a statement in writing on the said copy that the court whereof he is a judge has no seal; but if any of the aforesaid authenticated copies shall purport to be sealed or signed as herein-before respectively directed, the same shall respectively be admitted in evidence in every case in which the original document could have been received in evidence, without any proof of the seal where a seal is necessary, or of the signature, or of the truth of the statement attached thereto, where such signature and statement are necessary, or of the judicial character of the person appearing to have made such signature and statement.

VIII. Every certificate of the qualification of an apothecary which shall purport to be under the common seal of the Society of the art and mystery of Apothecaries of the city of London shall be received in evidence in any court of justice, and before any person having by law or by consent of parties authority to hear, receive, and examine evidence, without any proof of the said seal or of the authenticity of the said certificate, and shall be deemed sufficient proof that the person named therein has been from the date of the said Certificate duly qualified to practise as an apothecary in any part of England or Wales.

IX. Every document which by any law now in force or hereafter to be in force is or shall be admissible in evidence of any particular in any court of justice in England or Wales without proof of the seal or stamp or signature authenticating the same, or of the judicial or official character of the person appearing to have signed the same, shall be admitted in evidence to the same extent and for the same purposes in any court of justice in Ireland, or before any person having in Ireland by law or by consent of parties authority to hear, receive, and examine evidence, without proof of the seal or stamp or signature authenticating the same, or of the judicial or official character of the person appearing to have signed the same.

X. Every document which by any law now in force or hereafter to be in force, is or shall be admissible in evidence of any particular, in any court of justice in Ireland, without proof of the seal or stamp or signature authenticating the same, or of the judicial or official character of the person appearing to have signed the same, shall be admitted in evidence to the same extent and for the same purposes in any court of justice in England or Wales, or before any person having in England or Wales by law or by consent of parties authority to hear, receive, and examine evidence, without proof of

the seal or stamp or signature authenticating the same, or of the judicial or official character of the person appearing to have signed the same.

XI. Every document which by any law now in force or hereafter to be in force is or shall be admissible in evidence of any particular in any court of justice in England or Wales or Ireland without proof of the seal or stamp or signature authenticating the same, or of the judicial or official character of the person appearing to have signed the same, shall be admitted in evidence to the same extent and for the same purposes in any court of justice of any of the British colonies, or before any person having in any of such colonies by law or by consent of parties authority to hear, receive, and examine evidence, without proof of the seal or stamp or signature authenticating the same, or of the judicial or official character of the person appearing to have signed the same.

XII. Every register of a vessel kept under any of the Acts relating to the registry of British vessels may be proved in any court of justice, or before any person having by law or by consent of parties authority to hear, receive, and examine evidence, either by the production of the original or by an examined copy thereof, or by a copy thereof purporting to be certified under the hand of the person having the charge of the original, and which person is hereby required to furnish such certified copy to any person applying at a reasonable time for the same, upon payment of the sum of 1s.; and every such register or such copy of a register, and also every certificate of registry, granted under any of the Acts relating to the registry of British vessels, and purporting to be signed as required by law, shall be received in evidence in any court of justice, or before any person having by law or by consent of parties authority to hear, receive, and examine evidence, as *primâ facie* proof of all the matters contained or recited in such register when the register or such copy thereof as aforesaid is produced, and of all the matters contained or recited in or endorsed on such certificate of registry when the said certificate is produced.

XIII. And whereas it is expedient, as far as possible, to reduce the expense attendant upon the proof of criminal proceedings; be it enacted, that whenever in any proceeding whatever it may be necessary to prove the trial and conviction or acquittal of any person charged with any indictable offence, it shall not be necessary to produce the record of the conviction or acquittal of such person, or a copy thereof, but it shall be sufficient that it be certified or purport to be certified under the hand of the clerk of the court or other officer having the custody of the records of the court where such conviction or acquittal took place, or by the deputy of such clerk or other officer, that the paper produced is a copy of the record of the

indictment, trial, conviction, and judgment or acquittal, as the case may be, omitting the formal parts thereof.

XIV. Whenever any book or other document is of such a public nature as to be admissible in evidence on its mere production from the proper custody, and no statute exists which renders its contents provable by means of a copy, any copy thereof or extract therefrom shall be admissible in evidence in any court of justice, or before any person now or hereafter having by law or by consent of parties authority to hear, receive, and examine evidence, provided it be proved to be an examined copy or extract, or provided it purport to be signed and certified as a true copy or extract by the officer to whose custody the original is intrusted, and which officer is hereby required to furnish such certified copy or extract to any person applying at a reasonable time for the same, upon payment of a reasonable sum for the same, not exceeding 4*d.* for every folio of 90 words.

XV. If any officer authorised or required by this Act to furnish any certified copies or extracts shall wilfully certify any document as being a true copy or extract, knowing that the same is not a true copy or extract, as the case may be, he shall be guilty of a misdemeanor, and be liable, upon conviction, to imprisonment for any term not exceeding 18 months.

XVI. Every court, judge, justice, officer, commissioner, arbitrator, or other person, now or hereafter having by law or by consent of parties authority to hear, receive, and examine evidence, is hereby empowered to administer an oath to all such witnesses as are legally called before them respectively.

XVII. If any person shall forge the seal, stamp, or signature of any document in this Act mentioned or referred to, or shall tender in evidence any such document with a false or counterfeit seal, stamp, or signature thereto, knowing the same to be false or counterfeit, he shall be guilty of felony, and shall upon conviction be liable to transportation for 7 years, or to imprisonment for any term not exceeding 3 years nor less than 1 year, with hard labour; and whenever any such document shall have been admitted in evidence by virtue of this Act, the Court or the person who shall have admitted the same may, at the request of any party against whom the same is so admitted in evidence, direct that the same shall be impounded and be kept in the custody of some officer of the Court or other proper person for such period and subject to such conditions as to the said Court or person shall seem meet; and every person who shall be charged with committing any felony under this Act, or under the Act of the 8th and 9th years of Her present Majesty, chapter 113, may be dealt with, indicted, tried, and, if convicted, sentenced, and his offence may be laid and charged to have been

committed, in the county, district, or place in which he shall be apprehended or be in custody; and every accessory before or after the fact to any such offence may be dealt with, indicted, tried, and, if convicted, sentenced, and his offence laid and charged to have been committed, in any county, district, or place in which the principal offender may be tried.

XVIII. This Act shall not extend to Scotland.

XIX. The words "British Colony" as used in this Act shall apply to all the British territories under the government of the East India Company, and to the Islands of Guernsey, Jersey, Alderney, Sark, and Man, and to all other possessions of the British Crown, wheresoever and whatsoever.

XX. This Act shall come into operation on the 1st day of November in the present year.

BRITISH NOTIFICATION respecting the raising of the Danish Restrictions on the Navigation of the Eyder.—London, January 30, 1851.

It is hereby notified, that Viscount Palmerston, Her Majesty's Principal Secretary of State for Foreign Affairs, has received a despatch, dated the 21st instant, from Her Majesty's Minister at Copenhagen, inclosing a copy of a note from the Danish Minister for Foreign Affairs, informing him that the restrictions on the navigation of the Eyder, imposed in October last, being no longer necessary, have been taken off.

BRITISH NOTIFICATION respecting the Turkish Blockade of the Ports and Coasts of Samos.—London, February 11, 1851.

It is hereby notified, that Viscount Palmerston, Her Majesty's Principal Secretary of State for Foreign Affairs, has received from Sir Stratford Canning, Her Majesty's Ambassador at Constantinople, a despatch, inclosing an official notification from the Ottoman Minister for Foreign Affairs, dated the 18th of January last, of the blockade of all the ports and coasts of Samos, by the naval forces of His Imperial Majesty the Sultan. Such blockade to commence 20 days after the said 18th of January.

BRITISH NOTIFICATION respecting the placing, by the British Admiral in the Pacific, of an Embargo on all Traffic in the Port of "The Union," and Blockade of the Coast of Salvador. —London, March 8, 1851.

It is hereby notified, that Viscount Palmerston, Her Majesty's Principal Secretary of State for Foreign Affairs, has received despatches from Her Majesty's Chargé d'Affaires at Guatemala, dated respectively the 5th of November and the 2nd of December last, inclosing 2 letters from Commander Hayes, of Her Majesty's ship *Champion*, which had arrived off the coast of the State of Salvador by order of Rear-Admiral Hornby, Commander-in-chief of Her Majesty's naval forces in the Pacific, stating in the first, that he had placed an embargo on all traffic in the port of "The Union," and declaring in the second, the entire coast of Salvador to be in a state of blockade.

BRITISH NOTIFICATION respecting the raising of the Turkish Blockade of the Ports and Coasts of Samos.—London, May 22, 1851.

It is hereby notified, that Viscount Palmerston, Her Majesty's Principal Secretary of State for Foreign Affairs, has received from Sir Stratford Canning, Her Majesty's Ambassador at Constantinople, a despatch, dated the 23rd of April last, inclosing a *note verbale* or memorandum from the Porte, announcing that the blockade of the coasts and ports of Samos has been raised by order of the Sultan.

BRITISH ORDER IN COUNCIL, fixing the Consular Fee on Certificates relative to the Shipment, Discharge, or Desertion of British Seamen in Foreign Ports.—April 14, 1851.

At the Court at Buckingham Palace, the 14th day of April, 1851.

PRESENT,

THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS by a certain Act of Parliament made and passed in the 6th year of the reign of His late Majesty King George IV [cap. 87],*

* Vol. XII. Page 377.

intituled "An Act to regulate the payment of salaries and allowances to British Consuls at foreign ports, and the disbursements at such ports for certain public purposes," it is, amongst other things, enacted "that it shall and may be lawful for all Consuls-General and Consuls appointed by His Majesty, and resident within the dominions of any Sovereign or any foreign State or Power in amity with His Majesty, to accept, take, and receive the several fees particularly mentioned in the tables to this said Act annexed, for and in respect or on account of the several matters and things and official acts and deeds particularly mentioned in the said schedules; and that it shall and may be lawful for His Majesty, by any order or orders to be by him made by and with the advice of His Privy Council, from time to time, as occasion may require, to increase or diminish or wholly to abolish all or any of the fees aforesaid, and to establish and authorize the payment of any greater or smaller or new or additional fees or fee, for or in respect of the several matters and things mentioned in the said schedules or any of them, or for or in respect of any other matters or things or matter or thing to be by any such Consul-General or Consul done or performed in the execution of such his office;"

And whereas such Consuls-General and Consuls have, under the provisions of the said Act, levied fees on certificates as to the shipment and discharge and desertion of British seamen at foreign ports;

And whereas it is expedient to alter the said fees; now, therefore, in pursuance of the said Act, and in execution of the powers in Her Majesty in Council in that behalf vested, it is hereby ordered by Her Majesty, by and with the advice of Her Privy Council, that whenever a British Consul-General, Consul, or Vice-Consul shall be called upon by masters of merchant-ships to give his sanction in writing as to the shipment or discharge of seamen, or his certificate as to the desertion of seamen, it shall be lawful for such Consul-General, Consul, or Vice-Consul to demand, recover, and receive from all masters or other chief officers or commanders of any ship or vessel belonging to any of Her Majesty's subjects the sum of 2s. for each seaman whose shipment or discharge shall have been so sanctioned, or whose desertion shall have been so certified; and that it shall not be lawful for such Consul-General, Consul, or Vice-Consul to levy a larger fee for this service.

And the Right Honourable Viscount Palmerston, one of Her Majesty's Principal Secretaries of State, is to give the necessary directions herein accordingly.

WM. L. BATHURST.

BRITISH ORDER IN COUNCIL, suspending in British Guiana the Prohibitions against Foreign Reprints of British Books entitled to Copyright.—October 23, 1851.

At the Court at Windsor, the 23rd day of October, 1851.

PRESENT,

THE QUEEN'S MOST EXCELLENT MAJESTY IN COUNCIL.

WHEREAS by an Act passed in the session of Parliament, holden in the 5th and 6th years of Her present Majesty [cap. 45],* intituled "An Act to amend the law of copyright," it is among other things enacted, that it shall not be lawful for any person, not being the proprietor of the copyright, or some person authorized by him, to import into any part of the United Kingdom, or into any other part of the British dominions, for sale or hire, any printed book, first composed or written, or printed and published, in any part of the United Kingdom, wherein there shall be copyright, and reprinted in any country or place whatsoever out of the British dominions:

And whereas, by an Act passed in the session of Parliament holden in the 8th and 9th years of Her present Majesty [cap. 93],† intituled "An Act to regulate the trade of the British possessions abroad," books wherein the copyright is subsisting, first composed or written, or printed in the United Kingdom, and printed or reprinted in any other country, are absolutely prohibited to be imported into the British possessions abroad:

And whereas, by an Act passed in the session of Parliament holden in the 10th and 11th years of Her present Majesty [cap. 95],‡ intituled "An Act to amend the law relating to the protection in the colonies of works entitled to copyright in the United Kingdom," after reciting the prohibitions above set forth, it was enacted that in case the Legislature, or proper legislative authorities in any British possession, should be disposed to make due provision for securing or protecting the rights of British authors, in such possession; and should pass an Act or make an Ordinance for that purpose, and should transmit the same in the proper manner to the Secretary of State, in order that it might be submitted to Her Majesty; and in case Her Majesty should be of opinion that such Act or Ordinance were sufficient for the purpose of securing to British authors reasonable protection within such possession, it should be lawful "for Her Majesty, if she should think fit so to do, to express her royal approval of such Act or Ordinance, and thereupon to issue an Order in Council declaring that so long as the provisions of such Act or Ordinance

* Vol. XXXI. Page 970.

† Vol. XXXIII. Page 1126.

‡ Vol. XXXV. Page 1197.

continued in force within such colony, the prohibitions contained in the aforesaid Acts, and hereinbefore recited, and any prohibitions contained in the said Acts or in any other Acts against the importing, selling, letting out to hire, exposing for sale or hire, or possessing foreign reprints of books, first composed, written, printed, or published in the United Kingdom, and entitled to copyright therein, should be suspended, so far as regards such colony :”

And whereas, on the 20th day of June, 1851, an Ordinance, intituled No. 14, of 1851, “An Ordinance to authorize the importation into the colony of British Guiana, of books, being foreign reprints of books, first composed or written, or printed or published in the United Kingdom of Great Britain and Ireland, and in which there shall be copyright,” was enacted by the Governor and Court of Policy of British Guiana, for the purpose of protecting the rights of British authors in that colony, and has been duly transmitted to the Secretary of State :

And whereas Her Majesty is of opinion that the said Ordinance is sufficient for the purpose of securing to British authors reasonable protection within the said colony, and hath expressed her royal approval of the same :

It is hereby ordered, by the Queen’s Most Excellent Majesty, with the advice of Her Majesty’s Privy Council, that so long as the provisions of the said Ordinance remain in force in the colony of British Guiana, all the afore-mentioned prohibitions shall be suspended, so far as regards that colony :

And the Right Honourable the Lords Commissioners of Her Majesty’s Treasury, and the Right Honourable Earl Grey, one of Her Majesty’s Principal Secretaries of State, are to give the necessary directions therein, as to them may respectively appertain.

WM. L. BATHURST.

*DISCOURS du Roi des Belges, à l’Ouverture des Chambres.—
Bruxelles, le 4 Novembre, 1851.*

MESSIEURS,

EN me retrouvant, après 2 années, au milieu de vous, je me plais à constater de nouveau la situation prospère et tranquille du pays. Cette situation, qui atteste à la fois la solidité de ses institutions et l’excellent esprit de ses habitants, recommande la Belgique à l’estime des autres nations. Nos rapports avec les Puissances Etrangères en ressentent les heureux effets, et mon Gouvernement continue d’entretenir avec Elles les relations les plus bienveillantes.

Plusieurs lois d’un haut intérêt ont été votées dans vos 2 dernières sessions. Nous pouvons rappeler, parmi les plus importantes,

la loi sur les denrées alimentaires, celles qui instituent la Banque Nationale, le service du caissier de l'Etat, la caisse générale de retraite, les sociétés de secours mutuels; les lois qui règlent l'enseignement supérieur et l'enseignement moyen, enfin la nouvelle législation qui réforme le régime des faillites, et le système hypothécaire.

Un ensemble de lois vous avait été proposé, durant la dernière session, dans le double but de rétablir l'équilibre de nos finances et de procurer au pays des travaux publics dont l'exécution, élément de sécurité, importe surtout à sa prospérité matérielle. Un dissentiment partiel et, j'aime à le croire, passager, n'a pas permis de donner suite à ces mesures d'une incontestable utilité. Je fais des vœux ardents pour que cette difficulté puisse se résoudre bientôt dans un sage esprit de modération et conformément à l'intérêt du pays. Les circonstances actuelles, Messieurs, rendent plus que jamais désirable l'harmonie entre les pouvoirs de l'Etat, et la Belgique qui, depuis quatre années, s'est maintenue dans une situation paisible et forte, n'aura pas à subir, je l'espère, d'embarras fâcheux dans la gestion de ses affaires.

Indépendamment des lois nouvelles qui leur seront présentées, les Chambers auront à s'occuper de projets dont l'examen ou le vote a été suspendu dans la dernière session. Vous placerez sans doute parmi vos premiers travaux la législation sur la juridiction consulaire, la législation forestière, les projets relatifs à la détention préventive, et l'expropriation forcée; enfin la réforme du Code pénal et la nouvelle loi de la contribution personnelle, destinée à asseoir l'impôt sur des bases plus équitables.

La loi sur la bienfaisance publique sera prochainement soumise à vos délibérations.

L'état des récoltes est satisfaisant. Elles assurent à toutes les classes de la population le bienfait d'une nourriture abondante tout en laissant à nos cultivateurs une rémunération plus considérable que dans beaucoup d'autres contrées.

L'industrie agricole ne cesse de se développer et de se perfectionner. Tous les efforts du Gouvernement tendent vers ce but. Les travaux d'amélioration de la voirie vicinale ont pris, dans ces dernières années, une grande extension. Les avantages que le bon état des communications procurent à l'agriculture sont mieux appréciés chaque jour, et les communes secondent efficacement l'action du Gouvernement et des provinces.

L'état sanitaire du pays est généralement satisfaisant. Sous l'impulsion du Gouvernement, les autorités locales rivalisent de zèle pour améliorer les conditions hygiéniques des classes laborieuses.

L'industrie et le commerce se maintiennent dans une voie prospère. Notre commerce extérieur, qui avait atteint, en 1849, un degré de développement auquel il n'était point encore arrivé, n'a pas

perdu de son essor en 1850, et tout nous promet pour l'année courante, des résultats non moins favorables.

Mon Gouvernement a ouvert avec différents Etats de l'Europe des négociations commerciales. Un traité de commerce et de navigation a été récemment conclu avec le gouvernement Néerlandais. Les négociations avec la Grande-Bretagne viennent d'arriver à leur terme. La taxe onéreuse et exceptionnelle qui, depuis 25 années, frappait notre pavillon dans les ports d'Angleterre, va cesser de peser sur notre commerce.

L'Exposition universelle de Londres a procuré à l'industrie belge une nouvelle occasion de témoigner de son activité et de son esprit de progrès. A l'éloge de nos industriels, je suis heureux d'associer celui de nos artistes qui ont dignement soutenu la réputation de l'Ecole belge, aussi bien à l'Exposition de Londres, que dans le concours général que mon Gouvernement avait ouvert aux Beaux-Arts.

Notre garde civique continue de donner des preuves de zèle et de dévouement patriotique, et le pays peut compter sur elle comme sur sa brave armée, dont je ne saurais trop louer le bon esprit, l'instruction et la discipline.

L'examen de toutes les questions qui concernent notre établissement militaire, vient d'être confié aux lumières d'une commission, dont le travail sera ultérieurement communiqué aux Chambres. Je ne doute pas que cet examen impartial, suivi des débats parlementaires, n'ait pour résultat d'asseoir l'institution nationale de l'armée sur des bases fortes, stables et définitives.

C'est avec confiance, Messieurs, que mon Gouvernement fait un loyal appel à votre concours. En restant fidèlement et fermement unis, nous triompherons des difficultés que l'avenir peut nous réserver.

MESSAGE du Président de la République Française à l'Ouverture de l'Assemblée Nationale Législative.—Paris, le 4 Novembre, 1851.

MESSIEURS LES REPRESENTANTS,

Je viens, comme chaque année, vous présenter le compte sommaire des faits importants qui se sont accomplis depuis le dernier message. Toutefois je crois devoir passer sous silence les événements qui, malgré moi, ont pu produire certains dissentiments toujours regrettables.

La paix publique, sauf quelques agitations partielles, n'a pas été troublée ; et même, à plusieurs époques où les difficultés politiques étaient de nature à affaiblir le sentiment de la sécurité et à exciter

les alarmes, le pays, par son attitude paisible, a montré dans le Gouvernement une confiance dont le témoignage m'est précieux.

Il serait néanmoins imprudent de se faire illusion sur cette apparence de tranquillité. Une vaste conspiration démagogique s'organise en France et en Europe. Les sociétés secrètes cherchent à étendre leurs ramifications jusque dans les moindres communes ; tout ce que les partis renferment d'insensé, de violent, d'incorrigible, sans être d'accord sur les hommes ni sur les choses, s'est donné rendez-vous en 1852, non pour bâtir, mais pour renverser.

Votre patriotisme et votre courage, à l'égal desquels je m'efforcerai de marcher, épargneront, je n'en doute pas, à la France, les périls dont elle est menacée ; mais, pour les conjurer, envisageons-les sans crainte comme sans exagération, et tout en étant convaincus que, grâce à la force de l'administration, au zèle éclairé de la magistrature, au dévouement de l'armée, la France ne saurait périr, réunissons tous nos efforts afin d'enlever au génie du mal jusqu'à l'espoir d'une réussite momentanée.

Le meilleur moyen d'y parvenir m'a toujours paru l'application de ce système qui consiste, d'un côté, à satisfaire largement les intérêts légitimes ; de l'autre, à étouffer, dès leur apparition, les moindres symptômes d'attaque contre la religion, la morale, la société.

Ainsi, procurer du travail en concédant à des compagnies nos grandes lignes de chemins de fer, et, avec l'argent que l'État retirera de ces concessions, donner une vive impulsion aux autres travaux dans tous les départements ; encourager les institutions destinées au développement du crédit agricole ou commercial ; venir, par des établissements de bienfaisance, au secours de toutes les misères, telle a été et telle doit être encore notre première sollicitude ; et c'est en suivant cette marche qu'il sera plus facile de recourir à la répression lorsque le besoin s'en fera sentir.

Intérieur.

Dans la plus grande partie de la France, les mesures ordinaires ont suffi pour assurer l'ordre ; mais l'état de siège, maintenu dans la 6^e division militaire, a dû être étendu au Département de l'Ardèche ensanglanté par des collisions fréquentes, et, plus récemment encore, aux Départements du Cher et de la Nièvre, effrayés d'un commencement de jacquerie.

A Lyon a été organisée une police forte et unique qui embrasse 12 villes ou communes suburbaines que la loi a comprises sous la dénomination d'agglomération Lyonnaise.

Les réfugiés politiques entrent dans des affiliations dangereuses ; quelques-uns ont dû être expulsés, mais l'hospitalité a continué de s'étendre à un très-grand nombre.

Une somme de plus de 486,000 francs a été répartie entre 2,080 réfugiés.

Les vices de l'organisation municipale ressortent de la nécessité où s'est trouvé le Gouvernement de révoquer, en un an, sur l'avis conforme du Conseil d'Etat, 401 fonctionnaires électifs, dont 278 maires et 123 adjoints.

La dissolution des conseils municipaux s'est élevée à 126; celle des gardes nationale, à 130.

Quoique le maintien de la sécurité et l'application des mesures sévères soient dévolues principalement au Ministère de l'Intérieur et réclament avant tout son action, son zèle éclairé n'a rien épargné pour qu'elle s'étendît en même temps à tous les moyens de stimuler le travail, cette première condition du bien-être et de la tranquillité.

Ainsi l'administration municipale de Paris a adopté 2 vastes projets qui, en même temps, offrent l'avantage de faciliter l'approvisionnement de la capitale et de l'embellir; je veux dire la construction des halles et le prolongement de la Rue de Rivoli.

L'impulsion s'est bientôt communiquée de Paris aux départements qui ont affecté des sommes considérables à des travaux utiles.

La science et les arts ont reçu de notables encouragements, et les sommes importantes votées pour la restauration de plusieurs monuments historiques ont reçu leur application.

Deux projets de loi demandent une solution prompte: l'un a pour objet de déterminer les indemnités dues aux citoyens qui ont éprouvé des dommages matériels lors des événements de Février et de Juin; l'autre et relatif à la réorganisation du travail dans les prisons.

Il est encore un projet de loi dont je vous avais parlé dans mon précédent message, et auquel j'attache la plus grande importance: c'est celui qui a pour but de venir au secours des vieux débris des armées de la République et de l'Empire. Des circonstances indépendantes de ma volonté en ont jusqu'ici empêché la présentation. J'espère que bientôt vous pourrez l'accueillir avec faveur; car, je vous prie de ne point l'oublier, il y a, sur tous les points du territoire, des hommes couverts de blessures qui se sont sacrifiés à la défense de la patrie et qui attendent avec anxiété qu'on leur vienne en aide. Pour eux le temps presse: l'âge et la misère les accablent.

Finances.

La situation est aussi favorable que le comportent les engagements du passé et les incertitudes politiques de l'avenir.

Le compte de 1849 qui vous a été soumis, fait connaître le solde définitif de cet exercice: le déficit qu'il laisse à la charge du trésor ne dépasse pas le chiffre indiqué par le message du 12 Novembre dernier.

Le décret qui abrège de 2 mois la durée des exercices a été

appliqué aux recettes et aux dépenses de 1850, de sorte que, dès aujourd'hui, il est facile d'apprécier exactement le découvert. Il restera, nous sommes heureux de pouvoir l'annoncer, au-dessous des prévisions de la commission du budget et même de celles de l'administration.

Le budget de 1851 est en cours d'exécution, et les résultats définitifs qu'il présentera dépendront beaucoup du produit des revenus pendant les derniers mois. Jusqu'à ce jour, le recouvrement des impôts offre un résultat rassurant.

Les contributions directes continuent à être acquittées avec exactitude. Leur rentrée présente une amélioration réelle sur la situation de l'année dernière, qui était déjà favorable.

Les impôts indirects se ressentent du défaut de confiance dans l'avenir, sans néanmoins que jusqu'ici il se soit produit aucune diminution sur l'ensemble des recettes prévu au budget.

La perte qu'ont éprouvée quelques branches du revenu, notamment les droits d'enregistrement, est compensée par l'élévation du chiffre des taxes de consommation, ce qui constate le bien-être et l'activité des classes les plus nombreuses.

La diminution du produit des Douanes ne révèle aucun symptôme fâcheux ; compensée, en ce qui concerne les sucres coloniaux, par l'accroissement des perceptions sur les sucres indigènes, elle s'explique pour d'autres objets par les effets de la Loi du 11 Janvier dernier, qui a réglé les rapports économiques de l'Algérie et de la France, et dont les bienfaits pour nos possessions d'Afrique s'augmenteront par l'institution récente d'un établissement de crédit. Rien dans ces résultats prévus qui ne soit conforme aux intérêts généraux du pays. Le progrès soutenu de nos exportations en tout genre est venu balancer pour nos industries le ralentissement du marché intérieur. Le chiffre élevé qu'elles ont atteint dans les dernières années, comparé au chiffre des importations,* explique l'affluence des métaux précieux dans notre pays. Cette accroissement des exporta-

* Mouvement des importations et des exportations pendant les années 1848, 1849 et 1850.

(Valeurs actuelles.)

Années.	Importations.	Exportations.	Excédant par année des valeurs à l'exportation sur les valeurs à l'importation.
1848	474,259,753	689,994,719	215,734,966
1849	724,118,975	937,949,592	213,830,617
1850	790,666,634	1,068,122,198	277,455,564
Total pendant les 3 années }	1,989,045,362	2,696,066,509	707,021,147

† D'après le résultat des 9 premiers mois de 1851, cet excédant sera, pour cette année, égal et même supérieur à celui de 1850.

tions est d'autant mieux assuré dans l'avenir, qu'il repose sur la marche progressive de la civilisation.

En résumé, le budget de 1851 présentera des résultats à peu près conformes aux prévisions.

Les travaux publics extraordinaires, exécutés en 1850 et en 1851, s'élèvent à la somme de 172,000,000. Les découverts de ces 2 années sont loin d'atteindre cette somme, et la dépense des travaux publics ne restera que pour une partie à la charge de l'avenir.

La paix et l'ordre ont surtout pour heureux effet d'améliorer la situation des classes laborieuses, et cette amélioration est attestée par les mouvements des fonds des caisses d'épargne. Les dépôts de cette nature ont augmenté pendant l'année 1850, et pendant les 6 premiers mois de 1851, avec une rapidité telle, qu'à aucune époque on ne pourrait signaler un semblable accroissement. Mais cet état de choses avait des dangers, et l'Assemblée, de concert avec le Gouvernement, a cherché à les prévenir en conciliant, par la Loi du 30 Juin dernier, les intérêts de ces institutions justement populaires et ceux de l'Etat.

Cette loi commence à recevoir son exécution et les premiers faits constatés indiquent que ses avantages ont été compris par la masse si nombreuse et si intéressante des déposants.

Une autre loi a concédé les paquebots-postes de la Méditerranée à l'industrie particulière.

Il est désirable que des concessions semblables permettent d'étendre nos relations de commerce et de correspondance avec les pays transatlantiques. L'administration se préoccupe de ces questions et étudie les moyens de les résoudre.

Le Ministre des Finances, usant de l'autorisation qui lui avait été donnée, a négocié les rentes provenant de la liquidation des caisses d'épargne.

Si l'on tient compte des circonstances au milieu desquelles l'opération s'est accomplie, on ne saurait méconnaître que la négociation s'est faite à un taux très-avantageux.

Vous y trouverez la preuve que, lorsque les préoccupations politiques auront cessé de peser sur l'état de nos finances, il sera facile, si vous le jugez nécessaire, d'avoir recours au crédit, à des conditions favorables au trésor.

Travaux Publics.

L'importance commerciale politique et militaire des chemins de fer devient de jour en jour plus évidente. Dans l'entraînement général, ne pas avancer nous-mêmes, ce serait reculer. Le Gouvernement l'a compris, et la réduction des crédits ne l'a pas empêché de poursuivre avec la plus grande activité l'achèvement des travaux sur la ligne

principale de Paris à Strasbourg et sur l'embranchement de Metz à la frontière Prussienne.

Quatre sections formant ensemble une étendue de 210 kilomètres, auront été inaugurées en 1851, et dans le premier semestre de l'année prochaine, la ligne entière de l'est pourra être livrée au public.

Plus de 100 kilomètres ont été ajoutés à chacune des lignes de Paris à Bordeaux et de Paris à Lyon. Celles de Tours à Nantes est complète.

En résumé, la longueur totale des sections ouvertes à la circulation, en 1851, dépasse 500 kilomètres, et les travaux ont été assez avancés sur les autres sections pour permettre d'ajouter à notre réseau 330 kilomètres en 1852.*

Un chemin de ceinture est reconnu nécessaire pour relier les têtes de lignes des principaux chemins de fer qui partent de la capitale.

Vous avez fixé d'urgence au 10 Novembre prochain la discussion des 2 projets de loi relatifs aux chemins de fer de Paris à la Méditerranée; l'opinion publique continue à vous le signaler comme un établissement de première nécessité.

Les crédits destinés à l'achèvement et à la rectification des routes nationales sont trop restreints pour permettre de doter de communications plus faciles les contrées qui, à raison du relief de leur sol, n'ont pas été comprises dans le réseau des chemins de fer ou des canaux. Dans le budget de 1852, je vous demande les moyens d'améliorer cette position en la mettant d'accord avec la justice distributive.

La navigation intérieure, cet auxiliaire indispensable de l'agriculture et du commerce, même avec les chemins de fer, n'a pas été négligée. De grands résultats sont déjà obtenus ou pourront l'être dans un avenir prochain, malgré l'insuffisance des allocations.

Le canal latéral à la Garonne, déjà livré à la navigation entre Toulouse et Agen, sur un développement de 127 kilomètres, sera dans quelques mois poussé jusqu'au Mas, à 42 kilomètres au delà d'Agen, et mis en communication avec la Baïse canalisée. Encore quelques années et quelques efforts, et l'œuvre gigantesque de Louis XIV aura reçu, à la gloire de notre époque, son complément nécessaire.

* Sections ouvertes en 1851 :		Sections à ouvrir en 1852 :	
	kil.		kil.
Sur la ligne de Strasbourg	210	Sur la ligne de Strasbourg	161
„ Lyon	118	„ Bordeaux	133
„ Bordeaux	101	„ l'Ouest	36
„ Nantes	87		
	<hr/>		<hr/>
Total	516	Total	330

La dernière section du canal de la Marne au Rhin pourra être livrée au commerce au commencement de 1853.

Sur la Seine, la lacune si regrettable que présente la navigation du fleuve dans la traversée même de la capitale, va incessamment disparaître.

Entre Rouen et le Havre, la navigation maritime a recueilli des avantages inespérés de l'exécution des travaux d'endiguement. Un projet de loi soumis à votre examen a pour objet d'assurer le maintien de ces heureux résultats.

Par le même projet de loi, le Gouvernement vous propose d'entreprendre, aux embouchures du Rhône, un système d'ouvrages analogues à ceux qui ont obtenu sur la Seine un succès si complet.

Des études se poursuivent dans le même sens pour l'amélioration de la navigation maritime de la Loire et de la Garonne.

Parmi les travaux des bâtiments civils et des palais nationaux qui auront été terminés dans le cours de cette année, je mentionnerai les bassins de Versailles et de Saint-Cloud, la bibliothèque Sainte-Geneviève, l'hôtel du timbre et la restauration des salons du Louvre.

Un projet de loi relatif à l'achèvement du Louvre est à l'étude et vous sera incessamment présenté.

Depuis longtemps le commerce réclamait la liberté des transports en matière de roulage ; nous avons donné à l'opinion publique cette légitime satisfaction.

Enfin, les décrets récents qui ont donné une nouvelle organisation au corps et à l'école des ponts et chaussées, ont préparé l'application des lois relatives au mode de recrutement des ingénieurs.

Agriculture et Commerce.

Le Gouvernement a poursuivi la réalisation du vœu émis par le conseil général de l'agriculture, des manufactures, et du commerce, pour l'institution des concours si utiles à l'amélioration de nos races d'animaux domestiques.

Pour faciliter ces encouragements, une demande d'allocation supplémentaire a été introduite au projet de budget de 1852.

L'administration a fait étudier par des hommes spéciaux différentes questions d'un haut intérêt pour l'agriculture et publier des documents sur la culture du lin en Belgique et en Hollande.

Une enquête sur les institutions de crédit foncier et agricole facilitera, par de nouveaux documents, l'étude et la discussion du projet de loi de crédit foncier soumis en ce moment aux délibérations de l'Assemblée.

Les résultats de l'enquête sur les établissements de colonisation agricole de Hollande, de Suisse, de Belgique, et de France ont été publiés.

Des instructions spéciales et détaillées ont été adressées aux préfets pour faciliter l'exécution de la Loi du 20 Mars, 1851, qui a organisé la représentation légale de l'industrie agricole, et les conseils généraux ont été appelés à appliquer l'une de ses dispositions les plus importantes.

Des orages et des ouragans, sur plusieurs points de la France, ont ruiné de nombreuses familles. Pour leur venir en aide, le Gouvernement s'associant aux efforts de la charité privée, a élevé, par un Décret du 27 Août dernier, à 7½ pour cent le taux du secours à accorder en cas de pareils sinistres.

Un concours d'événements et de circonstances, présents à la mémoire de tous, avaient avili le prix des denrées, mais les changements apportés par quelques Etats de l'Europe, surtout par l'Angleterre, dans leur législation sur les grains, sont venus ouvrir à notre agriculture de nouveaux et larges débouchés. Depuis 1849, nos expéditions ont pris un développement inconnu jusqu'alors.

La publication de l'Atlas statistique de la production des chevaux en France se poursuit avec activité, et démontrera, très-prochainement, que nos richesses chevalines ne le cèdent en rien à celles des autres nations d'Europe.

Un Décret du 3 Septembre, 1831, a réorganisé les chambres de commerce, et en les reconnaissant comme établissements d'utilité publique, satisfait à un de leurs vœux fréquemment exprimé.

Quelques faits très-regrettables avaient inspiré des inquiétudes sur l'organisation des sociétés et agences tontinières. Une commission procède à la révision des statuts en vue d'y introduire toutes les améliorations et toutes les garanties que comporte la nature de ces établissements.

Il a été publié un règlement d'administration publique sur les sociétés de secours mutuels en exécution de la Loi du 15 Juillet, 1850. Il leur laisse la plus entière liberté sous la seule réserve des garanties indispensables. Le compte rendu prescrit par la même loi fera connaître la part pour laquelle ces sociétés contribuent à l'amélioration du sort de la classe laborieuse.

La Loi du 4 Mai, 1851, a déterminé les bases du contrat d'apprentissage dans l'intérêt des familles ouvrières et dans celui de l'industrie. Elle aura pour effet d'assurer à l'apprenti de légitimes garanties d'instruction et de moralité, sans porter atteinte à la liberté du travail et aux droits de la famille.

Un Décret du 17 Mai dernier a déterminé les exceptions à la règle établie par la Loi du 9 Septembre, 1848, qui a limité à 12 heures la durée du travail effectif dans les manufactures et usines. Le Gouvernement croit avoir justifié la confiance du législateur.

Les avances faites par certains patrons à leurs ouvriers plaçaient souvent ces derniers dans l'impossibilité de les rembourser, et les

engageaient pour un temps illimité. La Loi du 21 Mai dernier, en réduisant à 30 francs le chiffre des avances privilégiées, a concilié la liberté du travail avec le respect dû aux Conventions.

Le projet de loi des marques de fabrique, d'un si haut intérêt pour l'industrie et le commerce, a déjà subi l'examen du Conseil d'Etat, et sera soumis prochainement à l'Assemblée.

Le Décret du 24 Décembre, 1850, a posé les bases d'une nouvelle organisation, du service sanitaire sur le littoral : cette organisation, plus simple et plus en harmonie avec l'ensemble de notre système administratif, a été réalisée dans le cours de la présente année.

Sur notre appel, des délégués des Puissances étrangères, choisis dans le corps consulaire et dans le corps médical, préparent maintenant à Paris les bases d'un règlement uniforme pour tous les pays situés sur les bords de la Méditerranée.

Les chiffres de nos exportations témoignent de l'activité imprimée au travail de nos fabriques, et les résultats obtenus depuis le dernier message démontrent à quel point l'industrie Française, au milieu des circonstances difficiles et d'une concurrence incessante, sait triompher des obstacles et agrandir ses débouchés.

La supériorité de certaines branches d'industrie s'est confirmée ou révélée à l'exposition de Londres, comme le prouvent les nombreuses récompenses accordées à nos exposants. En effet, la France, relativement, en a plus obtenu a elle seule que les autres pays, y compris l'Angleterre. Le tableau de la distribution générale le démontre.*

Ce ne sont pas seulement nos produits d'art, de goût et de luxe qui nous ont valu de tels succès : nos machines, nos instruments de précision, nos produits chimiques, nos cuirs ouvrés, notre quincaillerie, de même que la préparation de nos matières premières ou nos procédés de fabrication et de teinture, ont été l'objet des plus honorables distinctions.

L'exposition universelle aura ajouté une page des plus glorieuses aux annales de l'industrie Française.

L'Assemblée Nationale, pour maintenir la législation en harmonie avec ce progrès signalé, à, depuis le 12 Novembre, 1850, voté 3 lois importantes en faveur du commerce, de l'industrie et de marine :

La Loi du 11 Janvier, 1851, qui a réglé le régime commercial de l'Algérie ;

* A la France..	1,050	} 5,186
A l'Angleterre	..	..	2,365
Aux autres pays	..	..	1,771

Or, proportionnellement au nombre respectif des exposants, la France se trouve avoir obtenu 60 récompenses sur 100 exposants ; l'Angleterre 29 ; les autres pays 18.

La Loi du 13 Juin, 1851, qui remanie le tarif des sucres : les produits coloniaux ont trouvé sur notre marché un écoulement plus avantageux sans compromettre la prospérité de l'industrie indigène ;

La Loi du 22 Juillet dernier, pour encourager l'industrie des grandes pêches maritimes, et déjà, de nos ports principaux, a eu lieu le départ des navires du plus fort tonnage.

En même temps ont été introduites dans les règlements commerciaux des améliorations notables.

Le message du 12 Novembre, 1850, annonçait une enquête sur l'état de notre marine marchande. Elle a eu lieu ; les documents sont sous les yeux d'hommes éclairés et compétents ; leur travail amènera d'utiles réformes, et dès à présent, si l'Assemblée adopte la proposition inscrite au projet de budget de 1852, le cabotage pourra être exonéré d'une partie des charges qui pèsent sur lui.

Justice.

Le dernier message constatait que l'Assemblée était saisie de 3 projets de loi essentiels.

Le premier, sur l'organisation judiciaire, est encore à l'état de rapport.

Le second, sur les hypothèques, sera prochainement soumis à une troisième lecture, et les populations jouiront bientôt des avantages de la loi nouvelle.

Le troisième, sur l'assistance judiciaire. La loi a été votée le 23 Janvier dernier.

L'administration n'a rien négligé pour en assurer la prompte exécution.

Partout les bureaux d'assistance sont dès à présent en fonctions, et le pauvre peut, à l'égal du riche, faire valoir ses droits devant les tribunaux.

La loi sur le mariage des indigents reçoit aussi une heureuse application.

Le dernier message parlait également de projets de loi relatifs à la réhabilitation des condamnés et à la répression des crimes et délits commis par des Français en pays étranger. Ils ont été soumis au Conseil d'Etat, qui s'occupe en même temps d'une proposition émanée de l'initiative parlementaire, au sujet de la déportation. De grandes difficultés s'étaient élevées sur la désignation du lieu ; elles semblent aplanies, et cette loi, que réclament le repos de la société et l'amendement des condamnés, pourra devenir bientôt l'objet du double examen du Conseil d'Etat et de l'Assemblée.

L'administration de la justice a été partout prompte et éclairée.

Instruction Publique et Cultes.

La Loi du 15 Mars, 1850, a eu, quant à l'instruction primaire, les meilleurs résultats. L'administration rectorale, plus rapprochée des établissements et aidée du concours des délégués cantonaux, a exercé une surveillance plus active.

La facilité accordée aux communes de substituer, dans certains cas, des écoles libres à des écoles publiques, n'a pas diminué le nombre de ces dernières.

Le nombre des écoles communales augmente ; il était de 34,446 au moment de la promulgation de la loi ; il est maintenant de 34,939.

L'instruction des filles, si importante au point de vue des principes religieux et du bon ordre dans les familles, s'est répandue de plus en plus : on comptait 10,171 écoles communales de filles en 1850 ; on en compte 10,542 en 1851.

La nouvelle loi n'a point été favorable au développement de l'enseignement libre des garçons : il y avait 4, 950 écoles libres de garçons en 1850 ; il n'y en a plus que 4,622.

Il en est autrement des écoles libres des filles : en 1850 elles étaient au nombre de 11,088 ; en 1851, elles sont de 11,378.

En résumé, il y a sur l'ensemble des écoles primaires une augmentation de 806.

L'organisation de l'instruction publique, d'après les bases de la loi nouvelle, est depuis un an, pleinement accomplie. Les conseils académiques ont montré, dans l'exercice de leurs pouvoirs, autant de fermeté que de modération. Le conseil supérieur, placé au sommet de la hiérarchie, maintient une puissante unité, et, j'ai le droit de le dire, la liberté d'enseignement, développée d'une manière remarquable, est sans danger, parce qu'elle sera contenue dans de justes limites.

Dans la transition de l'ancien régime universitaire à un régime de liberté, beaucoup de positions honorablement et péniblement acquises se trouvent menacées. Cependant, de modestes fonctionnaires, enlevés à leur carrière par des événements de force majeure, ne doivent pas perdre le prix de leurs services passés. Une proposition vous sera soumise à cet effet, et vous vous associerez, je n'en doute pas, à cette œuvre de juste réparation.

La création de 3 évêchés aux Antilles et dans l'île de la Réunion, est maintenant un fait accompli. Les évêques ont pris possession de leurs sièges, et déjà, à la Martinique, à la Réunion, à la Guadeloupe, leur influence salutaire permet d'apprécier le bienfait qui résulterait de l'action d'un clergé plus nombreux. Aussi, quelques dépenses seront-elles indispensables pour la fondation de séminaires-collèges, déjà autorisés en principe par le décret organique des

évêchés coloniaux. Vous reconnaissez, je le pense, l'utilité d'achever sans trop de retard l'œuvre si heureusement commencée.

L'Assemblée Nationale, en accueillant la demande du Ministre des Cultes en faveur des édifices diocésains, n'a pas seulement donné une preuve de son intérêt pour la conservation de nos grands monuments, elle a voulu témoigner aussi de sa sollicitude pour les besoins de la religion. Persister dans ces généreuses dispositions, ce sera en outre favoriser l'ouverture de vastes ateliers de construction dans un grand nombre de départements où la situation de la classe ouvrière menace de devenir très-pénible.

Les cultes non catholiques ont eu aussi leur juste part de la sollicitude du Gouvernement.

Guerre.

L'effectif général de terre n'était, au 1er Octobre dernier, que de 387,519 hommes et 84,306 chevaux. Si les circonstances n'y mettent aucun obstacle, cet effectif rentrera dans les limites budgétaires de 1852, qui le réduisent à 377,130 hommes et 83,435 chevaux.

Aucun nouveau supplément de crédit ne sera nécessaire pour 1851.

Les crédits accordés par le budget 1851 ont permis d'organiser, cette année, 231 nouvelles brigades de gendarmerie. La création de 230 autres aura lieu en 1852, et l'accroissement de dépense qui en résultera se trouvera plus que compensé par les réductions opérées sur l'effectif des autres armes.

Divers projets de loi concernant l'organisation des cadres, le recrutement et les pensions à accorder aux sous-officiers et soldats ont été, depuis longtemps, soumis à l'Assemblée législative. L'armée en attend l'adoption avec une juste impatience. Nous espérons qu'ils ne tarderont pas à être discutés et votés par l'Assemblée.

Vous connaissez l'importance des opérations militaires du printemps dernier dans la partie orientale de la Kabylie et les succès qui, en 80 jours de marche, ont couronné la brillante valeur de nos troupes, sous le commandement d'un général que ma confiance a appelé au Ministère de la Guerre. Les tribus de cercle de Djidjelli soumises, la vallée de Loued-Sahel pacifiée, le commerce des huiles alimenté par les Kabyles considérablement accru, tels sont les résultats heureux de cette campagne.

Sur 1,145 tribus dont l'existence a été constatée en Algérie, 1,100 ont reconnu la souveraineté de la France, et celles qui s'y dérobent encore sont les plus pauvres et les plus éloignées.

L'armée, après avoir vaincu les Arabes, s'est appliquée à les civiliser en modifiant leurs habitudes sociales. Ainsi, sous l'inspiration de nos officiers, on a vu apparaître à la fois tout ce qui révèle

le progrès le mieux constaté : édifices, maisons nombreuses, plantations considérables, cultures nouvelles, barrages et ponts sur les rivières, caravensérails sur les voies de communication ; l'instruction publique organisée, l'art de guérir introduit chez ces populations décimées par les maladies.

Si le fanatisme des passions n'est pas désarmé encore, déjà néanmoins se forme parmi les Arabes un parti sage pour apprécier leurs véritables intérêts et pour seconder nos efforts.

Le vote récent de plusieurs lois importantes, spéciales à l'Algérie, a contribué puissamment à l'œuvre de la colonisation.

La Loi du 16 Juin, 1851, sur la constitution de la propriété, celle du 11 Janvier qui règle le régime commercial, celle du 4 Août qui fonde une banque d'escompte, de circulation et de dépôts, enfin le Décret du 26 Avril, en introduisant des améliorations réclamées par l'expérience, ont facilité des concessions de terre.

En résumé, quoique la situation générale de l'Algérie soit loin d'être alarmante, elle s'est toutefois compliquée sur certains points, tels que la vallée de Sebaon, à cause des tentatives d'insurrection de Bou-Bayhla, la province d'Alger, à cause de l'agitation religieuse, la frontière du Maroc, à cause de la fermentation des tribus sauvages et guerrières qui l'occupent.

Marine.

Renfermée dans les limites d'un budget assez restreint, notre marine n'en a pas moins su protéger nos nationaux sur tous les points du globe.

Plusieurs décrets importants et que rendent nécessaires soit les progrès réalisés depuis 25 ans dans toutes les parties du service naval, soit des difficultés d'application, soit le besoin de certaines économies, ont réglé successivement :

Le service à bord des bâtiments de la flotte ;

La solde des officiers et employés de la marine dans les différentes positions qu'ils peuvent occuper ;

Les emménagements des bâtiments de la flotte d'après une règle invariable dans les installations.

D'autres dispositions intérieures ont simplifié les éléments de la comptabilité maritime, et pourvu, mieux encore que par le passé, à la conservation du précieux matériel renfermé dans nos arsenaux. Des travaux considérables se poursuivent avec activité.

La construction des fosses d'immersion dans les ports de Cherbourg, Rochefort et Toulon, pour laquelle l'Assemblée Nationale a accordé un crédit spécial de 938,000 francs, s'exécute avec soin : l'année prochaine pourra voir terminer cet utile travail, depuis longtemps réclamé, et qui mettra un terme aux pertes que nous faisons chaque année sur nos approvisionnements de bois.

Le curage de la rade de Toulon se continue avec succès, et déjà tous les vaisseaux de notre escadre d'évolution sont mouillés là où naguère encore des navires d'un rang inférieur pouvaient à peine se hasarder.

A Cherbourg, au fort Boyard, à Port-Vendres, à Marseille, les travaux se poursuivent également sans relâche.

Mais ces améliorations obtenues au prix de tant d'efforts demeureraient stériles, et notre puissance navale n'occuperait pas dans le monde un rang digne de la France, si, pour toutes les éventualités, elle n'avait les moyens de se recruter d'hommes déjà façonnés au rude métier de la mer. Le plus important, comme on le sait, est l'inscription combinée avec la caisse des invalides de la marine. Tout ce qui tend à rendre plus féconde cette œuvre de Colbert a été soumis à la méditation sérieuse du Conseil de l'Amirauté, sous la forme d'un projet de loi. Déjà la loi dernière promulguée sur les primes pour les pêches maritimes promet de nouvelles et fructueuses campagnes.

Un projet sur la police de la pêche côtière, cette première école de nos matelots, a été soumis à l'Assemblée peu de jours avant sa prorogation. Cette loi de police sera un bienfait pour tout le littoral.

La situation de nos colonies est plus satisfaisante que l'année dernière ; elles jouissent toutes d'une complète tranquillité, qui, d'ailleurs, depuis l'émancipation, n'a jamais été sérieusement troublée qu'à la Guadeloupe.

En même temps, qu'il s'efforce d'inspirer aux populations nouvellement affranchies la confiance dans la liberté et l'amour du travail qui doit en être la conséquence, le Gouvernement combat et poursuit avec énergie toutes les excitations aux mauvaises doctrines.

La répartition de l'indemnité, réglée par un Décret du 24 Novembre, 1849, est maintenant achevée partout. Une loi du 30 Juillet, 1850, est venue accélérer les avantages de cette mesure, en décidant que les certificats de liquidation délivrés aux ayants droit seraient immédiatement échangés au trésor contre des coupons de rentes. Les inscriptions aujourd'hui délivrées représentent une masse d'environ 2 millions de rentes, c'est-à-dire le tiers de l'indemnité totale.

Les banques coloniales, organisées par Loi du 11 Juillet dernier, pourront bientôt porter les fruits qu'on en attend.

L'administration intérieure des colonies, leur régime législatif et financier réclamaient une organisation nouvelle, en harmonie avec les principes que la Constitution a posés. Un projet de loi préparé à cet effet a été, après l'examen du Conseil d'Etat, présenté à l'Assemblée ; un règlement qui embrasse toutes les parties de

l'administration des finances coloniales et de leur comptabilité est déjà préparé et pourra suivre immédiatement le vote de la loi organique.

Deux autres projets de loi, dont l'un sur l'émigration, le régime et la police du travail aux colonies, et l'autre sur l'organisation judiciaire, ont été préparés par l'administration et la commission coloniale.

Enfin nos établissements de la côte occidentale d'Afrique sont en voie de progrès ; leur situation appelle, dans l'intérêt même de ce progrès, diverses mesures qu'à récemment élaborées et proposées une commission.

Affaires Etrangères.

Nous devons nous féliciter de l'état de nos relations avec les Puissances étrangères ; de toutes parts nous viennent les assurances du désir qu'elles éprouvent de voir nos difficultés se résoudre pacifiquement. De notre côté, une diplomatie loyale et sincère s'associe à toutes les mesures qui peuvent contribuer à assurer le repos et la paix de l'Europe.

Plus cette paix se prolonge et plus les liens des différents peuples se resserrent. La vaste et libérale idée du Prince Albert a contribué à en cimenter l'union. Le peuple Anglais a accueilli nos compatriotes avec une noble cordialité, et cette lutte de toutes les industries du monde, au lieu de fomentier les jalousies, n'a fait qu'accroître l'estime réciproque entre les nations.

A Rome, notre situation est toujours la même, et le Saint-Père ne cesse de montrer sa constante sollicitude pour le bonheur de la France et pour le bien-être de nos soldats. Le travail d'organisation du Gouvernement Romain marche lentement ; un Conseil d'Etat est cependant établi, les conseils municipaux et provinciaux s'organisent peu à peu, et serviront à former une consulte destinée à prendre part à l'administration des finances ; d'importantes réformes législatives se poursuivent. Enfin, on s'occupe avec activité de la création d'une armée qui rendrait possible le retrait des forces étrangères stationnées dans les Etats de l'Eglise.

A Constantinople, la protection des intérêts religieux a exigé, depuis une année, notre active intervention. Il a fallu régler les difficultés élevées soit dans le sein de la communion catholique, soit entre les diverses communions Chrétiennes ; terminer les contestations les plus graves au sujet du mode d'institution des évêques Arméniens ; enfin s'occuper d'une transaction qui mette un terme aux déplorables querelles nées trop souvent de la possession des saints-lieux. Si chacun est animé de notre esprit de conciliation, ces tristes débats auront cessé pour jamais.

Nos bons rapports avec l'Espagne nous font espérer le règle-

ment définitif et prochain des différends au sujet de la frontière des Pyrénées.

Nous avons saisi avec empressement l'occasion de donner à l'Espagne une preuve de la sincérité de nos relations, en nous associant à l'Angleterre pour offrir au Cabinet de Madrid le concours de nos forces navales, afin de repousser la tentative audacieuse contre l'île de Cuba. De plus, notre Ministre à Washington a été chargé d'appuyer amicalement les réclamations de la Cour de Madrid, réclamations dont la justice a été loyalement reconnue par le Gouvernement fédéral.

La paix est rétablie entre l'Allemagne et le Danemark ; le Schleswig est rentré sous l'autorité du roi ; l'occupation Autrichienne a mis fin dans le Holstein au régime de l'insurrection, et la cause qui avait nécessité l'entrée des troupes étrangères ayant cessé, j'espère que leur séjour ne se prolongera pas. Les résolutions du Cabinet de Copenhague pour déterminer la succession au trône et pour assurer l'intégrité de la monarchie ont obtenu l'approbation des Puissances. Des obstacles de détail en retardent seuls la sanction officielle.

L'orage qui menaçait encore, il y a un an, le repos de l'Allemagne s'est dissipé. La Confédération Germanique a repris dans son ensemble la forme et le régime antérieurs aux événements de 1848. Elle cherche à se prémunir contre de nouveaux ébranlements par un travail de réorganisation intérieure. Nous devons y demeurer complètement étrangers. Nous avons pu craindre un moment que la Diète de Francfort ne fût appelée à délibérer sur une proposition qui modifiait grandement l'essence même de la Confédération Allemande, tendait à en reculer les limites, changeant ainsi sa destination, son rôle Européen, et altérant l'équilibre consacré par les Traités généraux. Nous avons cru devoir faire entendre des représentations. L'Angleterre a aussi réclamé. Heureusement la sagesse des Gouvernements Germaniques n'a pas tardé à écarter cette chance de complication.

La Suisse a éloigné de son territoire la plus grande partie des réfugiés qui abusaient de l'hospitalité. En secondant cette mesure, nous avons rendu service à la Suisse et aux Etats voisins.

Les nouveaux événements survenus sur les rives de la Plata ont grandement modifié la situation respective des Etats engagés dans la lutte. Ils nous obligent à suspendre les arrangements que nous avions préparés pour une pacification.

Le système de l'extradition réciproque des malfaiteurs et celui des communications postales se complètent successivement. Plusieurs Conventions soumises à l'Assemblée Nationale lui en ont déjà donné la preuve. D'autres lui seront présentées plus tard.

La conclusion des Traités de Commerce avec la Grande Bretagne,

la Toscane, la Belgique, la Prusse, le Danemark et la Suède atteste la sollicitude du Gouvernement pour le développement de nos relations commerciales et maritimes.

L'Assemblée avait exprimé le vœu que les Conventions littéraires conclues avec la Sardaigne et le Portugal pussent être adoptées le plus tôt possible par les autres Etats.

La Grande Bretagne et le Hanovre ont déjà signé des Traités spéciaux reproduisant les principales clauses des Conventions Sarde et Portugaise. Sur plusieurs autres points et notamment en Espagne, les négociations encore pendantes sont à la veille d'aboutir au résultat désiré.

Les réclamations qu'un grand nombre de négociants et d'armateurs Français ont à poursuivre contre le Gouvernement des Etats-Unis, à raison de saisies arbitraires par les Douanes de Californie, ne sont pas encore liquidées et payées ; mais le Congrès Américain et le Cabinet de Washington en ont formellement reconnu la justice, et nous ne tarderons pas à obtenir une satisfaction légitime.

Résumé.

Vous venez d'entendre l'exposé fidèle de la situation du pays. Elle offre pour le passé des résultats satisfaisants ; néanmoins un état de malaise général tend chaque jour à s'accroître. Partout le travail se ralentit, la misère augmente, les intérêts s'effrayent et les espérances antisociales s'exaltent à mesure que les pouvoirs publics affaiblis approchent de leur terme.

Dans un tel état de choses, la première préoccupation du Gouvernement doit être de rechercher les moyens de conjurer les périls et d'assurer les meilleures chances de salut. Déjà, dans mon dernier message, mes paroles à ce sujet, je m'en souviens avec orgueil, furent favorablement accueillies par l'Assemblée. Je vous disais : "L'incertitude de l'avenir fait naître bien des appréhensions en réveillant bien des espérances. Sachons tous faire à la patrie le sacrifice de ces espérances, et ne nous occupons que de ses intérêts. Si dans cette session vous votez la révision de la constitution, une constituante viendra refaire nos lois fondamentales et régler le sort du pouvoir exécutif. Si vous ne la votez pas, le peuple en 1852 manifesterá solennellement l'expression de sa volonté nouvelle. Mais quelles que puissent être les solutions de l'avenir, entendons-nous afin que ce ne soit jamais la passion, la surprise ou la violence qui décident du sort d'une grande nation."

Aujourd'hui les questions sont les mêmes, et mon devoir n'a pas changé ; c'est de maintenir l'ordre inflexiblement, c'est de faire disparaître toute cause d'agitation, afin que les résolutions qui décideront de notre sort soient conçues dans le calme et adoptées sans contestations.

Ces résolutions ne peuvent émaner que d'un acte décisif de la Souveraineté nationale, puisqu'elles ont toutes pour base l'élection populaire. Eh bien, je me suis demandé s'il fallait en présence du délire des passions, de la confusion des doctrines, de la division des partis, alors que tout se ligue pour enlever à la morale, à la justice, à l'autorité, leur dernier prestige, s'il fallait, dis-je, laisser ébranlé, incomplet, le seul principe qu'au milieu du chaos général, la Providence ait maintenu debout pour nous rallier ? Quand le suffrage universel a relevé l'édifice social par cela même qu'il substituait un droit à un fait révolutionnaire, est-il sage d'en restreindre plus longtemps la base ? Enfin, je me suis demandé si, lorsque des pouvoirs nouveaux viendront présider aux destinées du pays, ce n'était pas d'avance compromettre leur stabilité que de laisser un prétexte de discuter leur origine et de méconnaître leur légitimité.

Le doute n'était pas possible, et sans vouloir m'écarter un seul instant de la politique d'ordre que j'ai toujours suivie, je me suis vu obligé, bien à regret, de me séparer d'un ministère qui avait toute ma confiance et mon estime, pour en choisir un autre composé également d'hommes honorables connus par leurs sentiments conservateurs, mais qui voulussent admettre la nécessité de rétablir le suffrage universel sur la base la plus large possible.

Il vous sera donc présenté un projet de loi qui restitue au principe toute sa plénitude, en conservant de la loi du 31 Mai ce qui dégage le suffrage universel d'éléments impurs et en rend l'application plus morale et plus régulière.

Ce projet n'a donc rien qui puisse blesser cette Assemblée ; car, si je crois utile de lui demander aujourd'hui le retrait de la loi du 31 Mai, je n'entends pas renier l'approbation que je donnai alors à l'initiative prise par le ministère qui réclama des chefs de la majorité dont cette loi était l'œuvre, l'honneur de la présenter. Je reconnais même les effets salutaires qu'elle a produits. En se rappelant les circonstances dans lesquelles elle fut présentée, on avouera que c'était un acte politique bien plus qu'une loi électorale, une véritable mesure de salut public ; et, toutes les fois que la majorité me proposera des moyens énergiques de sauver le pays, elle peut compter sur mon concours loyal et désintéressé. Mais les mesures de salut public n'ont qu'un temps limité.

La Loi du 31 Mai, dans son application, a même dépassé le but qu'on pensait atteindre ; personne ne prévoyait la suppression de 3,000,000 d'électeurs, dont les 2 tiers sont habitants paisibles des campagnes.

Qu'en est-il résulté ? C'est que cette immense exclusion a servi de prétexte au parti anarchique qui couvre ses détestables desseins de l'apparence d'un droit ravi et à reconquérir. Trop inférieur en nombre pour s'emparer de la société par le vote, il espère à la faveur

de l'émotion générale et au déclin des pouvoirs, faire naître sur plusieurs points de la France à la fois des troubles qui seraient réprimés sans doute, mais qui nous jetteraient dans de nouvelles complications.

Indépendamment de ces périls, la Loi du 31 Mai, comme loi électorale, présente de graves inconvénients. Je n'ai pas cessé de croire qu'un jour viendrait où il serait de mon devoir d'en proposer l'abrogation. Défectueuse, en effet, lorsqu'elle est appliquée à l'élection d'une assemblée, elle l'est bien davantage lorsqu'il s'agit de la nomination du Président.

Car, si une résidence de 3 ans dans la commune a pu paraître une garantie de discernement imposée aux électeurs pour connaître les hommes qui doivent les représenter, une résidence aussi prolongée ne saurait être nécessaire pour apprécier le candidat destiné à gouverner la France.

Une autre objection grave est celle-ci. La constitution exige. Pour la validité de l'élection du Président par le peuple, 2,000,000 au moins de suffrages, et s'il ne réunit pas ce nombre, c'est à l'Assemblée qu'est conféré le droit d'élire. La constituante avait donc décidé que sur 10,000,000 de votants portés alors sur la liste, il suffisait du cinquième pour valider l'élection. Aujourd'hui le nombre des électeurs se trouvant réduit à 7,000,000, en exiger 2, c'est intervertir la proportion, c'est-à-dire demander presque le tiers au lieu du cinquième, et ainsi, dans une certaine éventualité, ôter l'élection au peuple pour la donner à l'Assemblée. C'est donc changer positivement les conditions d'éligibilité du Président de la République.

Enfin, j'appelle votre attention particulière sur une autre raison décisive peut-être. Le rétablissement du suffrage universel sur sa base principale donne une chance de plus d'obtenir la révision de la constitution. Vous n'avez pas oublié pourquoi, dans la session dernière, les adversaires de cette révision se refusaient à la voter. Ils s'appuyaient sur cet argument qu'ils savaient rendre spécieux : la Constitution, disaient-ils, œuvre d'une Assemblée issue du suffrage universel, ne peut pas être modifiée par une Assemblée issue du suffrage restreint. Que ce soit là un motif réel ou un prétexte, il est bon de l'écarter et de pouvoir dire à ceux qui veulent lier le pays à une Constitution immuable : Voilà le suffrage universel rétabli ; la majorité de l'Assemblée soutenue par 2,000,000 de pétitionnaires, par le plus grand nombre des conseils d'arrondissement, par la presque unanimité des conseils généraux, demande la révision du pacte fondamental : avez-vous moins confiance que nous dans l'expression de la volonté populaire ? La question se résume donc ainsi pour tous ceux qui souhaitent le dénouement pacifique des difficultés du jour.

La Loi du 31 Mai a ses imperfections ; mais, fût-elle parfaite, ne devrait-on pas également l'abroger si elle doit empêcher la révision de la Constitution, ce vœu manifeste du pays ?

On objecte, je le sais, que, de ma part, ces propositions sont inspirées par l'intérêt personnel. Ma conduite, depuis 3 ans, doit repousser une allégation semblable. Le bien du pays, je le répète, sera toujours le seul mobile de ma conduite. Je crois de mon devoir de proposer tous les moyens de conciliation, et de faire tous mes efforts pour amener une solution pacifique, régulière, légale, quelle qu'en puisse être l'issue.

Ainsi donc, Messieurs, la proposition que je vous fais n'est ni une tactique de parti, ni un calcul égoïste, ni une résolution subite ; c'est le résultat de méditations sérieuses et d'une conviction profonde. Je ne prétends pas que cette mesure fasse disparaître toutes les difficultés de la situation ; mais à chaque jour sa tâche. Aujourd'hui, rétablir le suffrage universel, c'est enlever à la guerre civile son drapeau, à l'opposition son dernier argument. Ce sera fournir à la France la possibilité de se donner des institutions qui assurent son repos. Ce sera rendre aux pouvoirs à venir cette force morale qui n'existe qu'autant qu'elle repose sur un principe consacré et sur une autorité incontestable.

Fait à l'Elysée-National, le 4 Novembre, 1851.

LOUIS-NAPOLÉON BONAPARTE.

SPEECH of the King of the Netherlands, on the Opening of the Session of the States General.—The Hague, September 15, 1851.

(Translation.)

MESSIEURS,

EN ouvrant la nouvelle session des Etats-Généraux il m'est bien agréable de pouvoir vous communiquer des nouvelles favorables relativement à la situation de notre patrie.

La naissance d'un Prince est venue augmenter le bonheur de ma maison.

Nos relations avec toutes les Puissances témoignent d'une bonne intelligence.

Nous avons conclu avec différents Etats des Conventions tendantes à sauvegarder les intérêts du commerce, à améliorer et à assurer la communication internationale. Dans le même but, on a ouvert des négociations qui, je l'espère, amèneront le même résultat favorable.

L'armée et la marine font toujours preuve d'un zèle louable, et nous donnent toujours des motifs de satisfaction.

L'état de tranquillité, où se trouvent maintenant toutes les possessions d'outremer, ne laisse rien à désirer.

Les troubles qui ont eu lieu récemment dans l'Ile de Borneo, ont été réprimés par la force de nos armes.

Les nouvelles de la situation sanitaire dans les colonies sont plus rassurantes.

Les conséquences de récoltes manquées disparaissent de plus en plus, et les nouvelles les plus récentes sur la récolte de cette année sont très-favorables, surtout en ce qui concerne les denrées alimentaires.

Les lois électorale, provinciale et communale, répondent dans leur effet, autant que cet effet a pu être constaté jusqu'à présent, au but du législateur.

Par suite de l'hiver peu rigoureux que nous avons eu, sans débacle et sans marées extraordinaires, nos digues sont restées exemptes de tout dégât.

Les grands travaux pour l'amélioration de nos rivières, d'après le système que l'on vous a communiqué, ont été entrepris et sont continués avec activité.

La récolte de l'année dernière, bien que médiocre, était plus abondante que l'on ne présumait de prime abord.

Celle de l'été actuel paraît être satisfaisante dans la plupart des contrées.

L'on s'applique généralement avec ardeur à développer l'agriculture et à la faire prospérer tant en améliorant les moyens de culture qu'en faisant de nouveaux défrichements et la séparation de terres non divisées.

L'industrie de métiers et de fabriques se trouve pareillement dans un état de développement continu.

L'accroissement continu de la navigation et de la construction des navires sont les preuves que le changement opéré dans notre législation commerciale, l'année dernière, n'a pas trompé les espérances qu'il avait fait concevoir. La grande activité de plusieurs branches d'industrie démontre, que le commerce se trouve, en général, dans une position prospère.

L'accroissement continu des communications, tant sur terre que par eau, n'exerce pas seulement une influence salubre sur les relations de l'intérieur, mais aussi sur celles avec les autres pays. Je m'attache fortement à aider au développement de ces communications. Une Convention conclue avec la Prusse et qui vous sera communiqué, est le résultat de ces efforts.

Nous avons pris avec la Belgique des mesures reciproques afin de préparer et, je l'espère bien, afin d'établir de nouvelles voies de communication entre les 2 pays.

Les espérances favorables que l'on concevait de la situation des

finances du royaume, n'ont pas été trompées : cette situation s'est, au contraire, relativement surpassée l'année dernière. L'année actuelle promet pareillement des résultats avantageux. Nous demanderons, dans le commencement de votre session, votre concours pour des mesures relatives à l'amortissement.

Les projets de loi si importants, déjà déposés dans votre session dernière, et pour l'examen desquels le temps nécessaire a manqué, seront de nouveau soumis à vos délibérations.

Que le même esprit d'accord commun, qui a pu faire achever, jusqu'à présent, tant de travaux importants, préside de nouveau à l'examen de ces projets de loi et d'autres qui vous seront présentés dans le courant de cette session.

Je souhaite ardemment que nos travaux communs soient utiles, sous les auspices de Dieu, au bonheur de notre chère patrie.

Je déclare que la nouvelle session des Etats-Généraux est ouverte.

*DISCOURS du Roi de Suède, à la Clôture de la Diète.—
Stockholm, le 4 Septembre, 1851.*

MESSIEURS,

L'EPOQUE, qui s'est écoulée depuis l'ouverture de la session actuelle, a été employée, avec une sollicitude incessante, à consolider le bien-être général. J'ai suivi, avec attention, la marche de vos importantes délibérations, et au nom de la patrie je vous exprime sa reconnaissance du zèle que vous avez voué à ses intérêts. En retournant dans vos foyers, vous emporterez la conviction satisfaisante d'avoir dignement accompli vos devoirs.

Les espérances que la Divine Providence nous permet de nourrir, relativement à un accroissement vivement désiré et prochainement attendu de ma maison, sont aussi chères à mon coeur, que précieuses pour l'avenir des Royaumes Unis. Puissent les prières, qui de tous les coeurs s'élèvent vers le trône du Tout-Puissant, être exaucées par lui, dans sa bonté infinie !

Le projet de réforme de la représentation nationale, que j'avais communiqué aux états généraux pendant leur dernière session, n'a point été adopté par la Diète actuelle. C'est de vous, Messieurs, que dépend maintenant le développement ultérieur de cette grave question, et votre patriotisme m'offre une garantie suffisante que mes espérances ne seront point déçues.

Les allocations, accordées pour les améliorations intérieures et pour la défense du Royaume, fournissent un témoignage indubitable de la manière noble dont vous avez compris votre mission, et vous

assurent des droits à ma reconnaissance. Vous en recueillerez les fruits dans des institutions perfectionnées pour la législation, l'éducation et l'assistance publique, ainsi que dans le développement du commerce, de l'industrie et de l'agriculture. La force de notre défense nationale donnera une nouvelle sécurité aux bienfaits de la paix dont nous jouissons.

Vous avez adopté la proposition que je vous ai faite, relativement à la simplification des impôts et au mode de leur perception. Je vous présenterai, lors de votre prochaine réunion, un projet détaillé à ce sujet, afin d'assurer l'exécution de cette œuvre éminemment utile.

La décision, que vous avez prise pour faciliter la construction d'un chemin de fer dans les provinces intérieures de la Suède, prouve que, lorsqu'il s'agit du bien-être du pays, aucune charge ne vous paraît lourde à porter. L'importance de la question, les sommes relativement considérables dont elle nécessite l'emploi, et la divergence d'opinions qui règne encore à cet égard, m'imposent le devoir d'y vouer l'attention la plus réfléchie.

En prononçant maintenant, en conformité du § 109 de la loi fondamentale, la clôture de cette session, j'implore, en faveur de la patrie, les bénédictions du ciel, et je vous renouvelle, Messieurs, l'assurance de toute ma bienveillance Royale.

TREATIES, &c. between Great Britain and Native Chiefs and States on the West Coast of Africa, relative to the Slave Trade, Commerce, &c.—1840—1845.

(1.)—*AGREEMENT with Kings Bell and Acqui.—Signed at King's House, Bell's Town, Cameroons, March 18, 1840.*

AGREEMENT entered into between King Bell and the Merchants trading in the Cameroons.

THAT no trader, master, mate, or any part of the crew of any of the vessels in the river be in any way molested by the natives, but the dispute to be settled by the captain of the vessel to which such man may belong, and the King.

And in like manner no Chief or native is to be molested by any of the crew of any of the ships lying in the anchorage.

The King holds himself responsible for the payments of all trust given out with his sanction, without which he will not hold himself responsible.

The English factory shall receive the same protection from the King as any of the vessels lying in the river, and all property

deposited therein will be considered as under the King's special protection; also, the natives working, or residing, in the said factory, will be under the same protection as the crews of the vessels in the harbour.

In case of the death of any trader all trust given out by him must be paid to the person succeeding him, as agent or trader of the first trader's house.

It being the custom of this country to stop any Chief or native for the payment of trust, the King promises to have every Chief or native stopped by his own people, in case such trader is carrying the oil to sell for immediate payment to any other vessel.

The King promises to give Mr. John Lilley every possible assistance in the recovery of the debts of Messrs. Hamilton, Jackson and Co., at this time owing; and to protect his person in the recovery thereof.

Given under our hands at the King's House, Bell's Town, Cameroons, the 18th of March, 1840.

Witnesses:

WALTER J. POLLARD,
H. M. B. Buzzard.

KING BELL, their
KING ACQUI, marks.

GEORGE COLLIER,
2nd Master do.

JOHN LILLEY, *Resident Trader.*

We hereby certify that the above Agreement has been signed by the King of Aquí Town, in our presence.

WALTER J. POLLARD. GEORGE COLLIER. JOHN LILLEY.

(2.)—DECLARATION of *Kings Acqui and Bell*.—Signed at King's Town, Cameroons, June 10, 1840.

KINGS ACQUI AND BELL further declare, that if Her Majesty's Government give them annually the undermentioned *Dash*, they will not allow their people, nor will they themselves trade for slaves; and that should a slave-vessel arrive in the river, they will send and inform any of Her Majesty's cruisers thereof that may be in the neighbourhood.

Dash.

60 muskets; 100 pieces of cloth; 2 barrels of powder; 2 puncheons of rum; 1 scarlet coat with epaulettes; 1 sword.

Witness to the above:

REGINALD T. S. LEVINGE,
Buzzard.

KING ACQUI, their
KING BELL, marks.

WALTER J. POLLARD, *Mate do.*
JNO. LILLEY, *Resident at Came-*
roons.

(3.)—CONVENTION *with King William.*—Signed at King William Town, November 10, 1840.

CONVENTION of Amity and Commerce between King William of King William Town, in the River Gaboon, and the Undersigned, William Tucker, Esq., Commander and Senior Officer on the West Coast of Africa.

THAT no English trader, master, mate, or any part of the crew of the vessels in the river shall be in any way molested by the natives; and if any dispute arise, it shall be settled by the Captain of the vessel to which such men may belong and the King.

And in like manner no Chief or native is to be molested by any of the crews of any of the ships laying in the anchorage off King William Town.

The King holds himself responsible for the payment of all trust given out with his sanction, without which he will not hold himself responsible.

The English factory or factories shall receive the same protection from the King as any of the vessels lying in the river; and all property deposited therein will be considered as under the King's special protection; also the natives working or residing in the said factory shall be under the same protection as the crews of the vessels in the harbour or roadstead of King William Town.

In case of the absence or death of any English trader, all trust given out by him shall be paid on his return or to the person succeeding him as agent or trader of the merchants to which such trust belongs.

In case of the death of any native trader who had received trust with the King's sanction, the King holds himself responsible that the debts shall be paid by the successor to the property of the native trader.

The King expects a *Dash* from the English vessels for permission to trade with him and his people, the amount of which must be left to the captain's or master's option.

In the event of King William's death, it is guaranteed that this Convention shall continue in force until ratified, or until after notice to the contrary has been given 12 months by the new King.

Signed, sealed and delivered on board Her Majesty's sloop *Wolverine*, off King William Town, in the River Gaboon, this 10th day of November, 1840.

WILLIAM TUCKER, *Com-
mander of H. M. S. Wolverine,
and Senior Officer in command
of H. M. ships and vessels on
the West Coast of Africa.*

KING WILLIAM,  his
mark.

In the presence of:
 HENRY DUMARESQU, 1st Lieut.
H. M. S. Wolverine.
 WM. HENRY BATEMAN, Acting
Purser H. M. S. Wolverine.

PRINCE DOLANGO, *their*
 PETIT DENIS, *marks.*
King's nephew.

(4.)—TREATY between Great Britain and the Chiefs of Gallinas.—
Dumbocorro, November 21, 1840.

IN consequence of the white slave-dealers settled in the River Gallinas having prevented the boats of Her Britannic Majesty's ships from receiving the common rights of humanity when in distress, and seeking refuge in King Siacca's waters, in violation of his dignity and of his rights, thus exposing him to differences with the Queen of England; and also in consequence of a Sierra Leone boy having been made a slave of by these white men at the River Gallinas, who was discovered and released by Commander Denman on the 19th instant:

1st. King Siacca engages totally to destroy the factories belonging to these white men without delay.

2ndly. King Siacca engages to give up to Commander Denman all the slaves who were in the barracoons of the white slave-dealers when he entered the river, and have been carried off into the bush.

3rdly. King Siacca engages to send these bad white men out of his country by the first opportunity, and within 4 months from this date.

4thly. King Siacca binds himself in the most solemn manner, that no white men shall ever, for the future, settle in his country for the purpose of slave dealing.

5thly. Captain Denman, upon the part of Her Britannic Majesty, promises never to molest any of the legitimate commerce of the River Gallinas; but that, on the contrary, Her Majesty's ships shall afford every assistance to the King Siacca's subjects, and take every opportunity of promoting his commerce.

6thly. The Governor of Sierra Leone will use his influence to get the Sierra Leone people to open the trade with King Siacca's country.

7thly. No white man from Sierra Leone shall settle down in King Siacca's country, without his full permission and consent.

8thly. All complaints that King Siacca may have to make hereafter against any of Her Majesty's ships, he is requested to forward at once to Sierra Leone, and a full investigation, and such redress as the occasion may require, is solemnly promised by Commander Denman on the part of Her Britannic Majesty.

Done at Dumbocorro, in the River Gallinas, this 21st day of November, 1840.

JOSEPH DENMAN,

*Commander and Senior
Officer on the Sierra
Leone Station.*

	their
PRINCE MANNA,	X
LUCINI ROGERS,	X
JOHN SHAPHA ROGERS,	X
	marks.

Captain Denman, by the request of the Prince Manna and the Chiefs, hereby states, that he at first demanded that the trade goods of the white slave-dealers should be destroyed with their factories; but King Siacca having declared, that those persons have acted in defiance of his laws, and that in consequence he considers their goods as forfeited to him, Captain Denman has withdrawn his demand upon this point, and consented that King Siacca shall take possession of the said goods, on condition that they are immediately taken out of the factories, and removed to Ghindemar, or some other place far from the Coast.

JOSEPH DENMAN.

(5.)—TREATY with the King and Prince of New Cestos.—Signed at New Cestos, January 11, 1841.

By an Agreement entered into between Henry F. Seagram, Lieutenant and Commander of Her Britannic Majesty's ship *Ter-magant*, on one side, and King Freeman and Prince Freeman, of New Cestos and adjacent country, on the other, it is determined that the Slave Trade is now and for ever abolished.

That any Englishman may settle for the purpose of trade; that the persons and property of all traders are to be protected; that should any difference arise between settlers and natives, it is to be determined by arbitration; and on no account is an Englishman or other white to be subject to insult or injury while on shore.

That this Agreement does not give the English, or any other foreign Power, any territorial rights in the town of New Cestos, or the country adjacent, subject to the above-named King and Prince.

In faith of which we have this day set our hands and seals, at New Cestos, this 11th day of January, 1841.

H. F. SEAGRAM,

Lieutenant and Commander.

GEORGE D. NOBBS,

Clerk in Charge.

KING FREEMAN,	X	their
PRINCE FREEMAN,	X	
		marks.

(6.)—TREATY with the Chiefs of the Timmanees.—Signed at Port Logo, February 13, 1841.

THERE shall be peace and friendship between the people of England and the people of the Timmanee country, and the Slave Trade shall be put down for ever in the Timmanee country. And

the people of England and the Timmanees shall trade together innocently, gently, kindly, and usefully. And his Excellency Sir John Jeremie, Knight, Captain-General, and Governor-in-chief in and over the colony of Sierra Leone and its dependencies, and the Honourable Robert Hornell, Esquire, the Honourable William Cole, Esquire, and the Honourable William Fergusson, Esquire, Members of the Board of Council of Sierra Leone, in behalf of Her Majesty the Queen of England, on the one part; and Allimamee Dalla Mahomadoo, Chief of Medina on the Bullam shore, Namina Lahir, Brimah Kayelle, and Brimah Luke, authorized hereunto by the Alikarlie and assembled Chiefs of the Timmanees, in behalf of the Timmanee people, on the other part; do make the following agreement for these purposes:

ART. I. No British born subjects whatever, or liberated Africans, shall be made slaves in the Timmanee country; and if any British born subjects, or liberated Africans are made slaves, or shall be brought into it as slaves, they shall be immediately set free, and the Alikarlie shall assist them to return to Freetown.

But no British born subjects, or liberated Africans, shall engage in war, or excite or provoke to war, in the Timmanee country; and if any British born subjects, or liberated Africans, shall engage in war, or excite or provoke to war, they shall be sent for by the Governor of Sierra Leone and punished.

II. No persons whatever shall be taken out of the Timmanee country as slaves; and no person in the Timmanee country shall be concerned in any ways in seizing, keeping, carrying, or sending away any persons for the purpose of their being taken out of the Timmanee country as slaves; and the Chiefs of the Timmanee country shall punish severely all who break this law.

III. The officers of the Queen of England may seize every vessel or boat of the Timmanees found anywhere carrying on the trade in slaves in the waters belonging to the Timmanees, and may also seize every vessel or boat of other nations found carrying on the trade in slaves in the waters of the Timmanees. And the vessels and boats so seized shall be taken to an English possession to be tried by English law. And the officers of the Queen of England may destroy all barracoons, buildings, fences, and inclosures, used in keeping or detaining persons when taken away to another country as slaves. And they may seize all goods, merchandize, in such barracoons, buildings, fences, or inclosures, or which shall have been imported into the Timmanee country, for the purpose of buying or being exchanged for persons to be carried away as slaves. And the goods and merchandize so seized shall be taken to a British territory to be tried by English law. And the proceeds shall be disposed of between the Queen of England and the Alikarlie, or other Chiefs of

the Timmanees, in the manner provided by the existing Treaty with Spain; but the officers of the Queen of England shall not destroy any barracoons, buildings, fences, or inclosures, without the authority of the Chief or headman of the district; nor shall they carry away any goods or merchandize which they find on land, without his authority; but they may take all persons whom they find detained in the barracoons, or other buildings or enclosures, as well as in all vessels or boats, and place them under the protection of the Queen of England, that they may be made free.

IV. English people may freely come into the Timmanee country, and may stay in it, or pass through it; and they shall be treated as friends while in it, and shall be at liberty to purchase any supplies they need there. They may freely practise and teach the Christian religion there, and shall not be harmed or troubled on that account; and they may leave the country when they please.

V. English people may always trade freely with the people of the Timmanee country in every article which they may wish to buy or sell; and neither the English people nor the people of the Timmanee country shall ever be forced to buy or sell any article, nor shall they be prevented from buying or selling any article.

VI. The paths shall be kept open through the Timmanee country to other countries, so that English traders may carry goods of all kinds through the Timmanee country to sell them elsewhere; and the traders of other countries may bring their goods through the Timmanee country to trade with the English people.

VII. English people may buy or sell, or hire lands and houses in the Timmanee country; and their houses shall not be entered without their consent, nor shall their goods be seized nor their persons touched. And if English people are wronged or ill-treated by the people of the Timmanee country, the Chief of that country shall punish those who wrong or ill-treat the English people.

VIII. But English people must not break the laws of the Timmanee country, and when they are accused of breaking the laws, the Chiefs shall send a true account of the matter to the nearest place where there is an English force, and the commander of such English force shall send for the English person, who shall be tried according to English law, and shall be punished if found guilty.

IX. If the Timmanee people should take away the property of an English person, or shall not pay their just debts to an English person, the Chief of the Timmanee country shall do all he can to make the Timmanee people restore the property and pay the debt. And if English people should take away the property of the Timmanee people, or should not pay their just debts to the Timmanee people, the Chief of the Timmanee country shall make known the

fact to the commander of the English force nearest to the Timmanee country, or to the resident agent, if there is one, and the English commander or the agent, whichever it may be, shall do all he can to make the English persons restore the property and pay the debt.

X. The Queen of England may appoint an agent to visit the Timmanee country or to reside there, in order to watch over the interests of the English people and to see that this agreement is fulfilled. And such agent shall always receive honour and protection in the Timmanee country. And the Timmanee Chief shall pay attention to what the agent says; and the person and property of the agent shall be sacred.

XI. All disputes and differences for debts or other engagements between English people and English people, shall be determined by the English agent or resident, and when there is no agent or resident in the Timmanee country, they shall be referred to Sierra Leone.

XII. The Chief of the Timmanee country shall, within 48 hours of the date of this agreement, proceed to proclaim it and carry it into effect.

XIII. The Queen of England, out of friendship for the Chief of the Timmanees, and because the said Chief, with the consent of the proper Chiefs, has made this agreement, gives him and the other Chiefs, hereinunder named, the following articles, from a fund to be by this Article provided, viz.:

Bey Cobolo, King of Marampa, 100 bars; Bey Simmerah, King of Simmerah, 100; Bey Fenli, King of Mendi, 100; Alikalie, Chief of Port Locco, 600; the Chief of Bumbelly, 50; Pa Roonier, Chief of Inabelly, 100; Massa Packey, King of Mallaly, 50; Alumamy Cabba, Chief of Rokelle, 100; Tom Bendo, Chief of Rokon, 50; Mahmadu Bundoo, Chief of Furadugu and Mahana, 100; Alikarlie Sa Maura, Chief of Sunda, 50; Bokarre Suri, Chief of Tambucca, 50; Bey Camma, King of Koolifa, 50; Bey Woosee, King of Lunbar, 50; Alimammey Dulla Mahomadoo, Chief of Medina Bullom Shore, 450 dollars; Bey Kroo, King of Maburg, 100 bars; Bey Gola, King of Massunerah, 50; Kuro Bah Yotto, Chief of Beyette, 50; Fenda Moodu, Chief of Yaunie, 80; Bey Fok, 200; Namma Lahi, 300; Brunah Cauerno, 100; Mahomadu Alikarlie, 100; Saulagay Byan, 100; Saulagay Yerni Cotto, 50; Saulagay Fa Foulah, 50; Ausumanu Dabo, 150; Ali Bundo, 250; Mahmado Saucong, 100; Brunah Luke, 100; Booboo Saucong, 50; Saulagay Malalay, 100; Neutigay Falimah Mohucadoo, 100; Amarah Saule, 50; Lamina Bengalie, 50; A. Dumma Lahay, 50. And it is agreed that the same shall be payable every year.

The Queen of England further agrees that no custom or duty whatever shall be taken on the boats or goods of the Timmanee people at Freetown, or in any other port or harbour of the colony

of Sierra Leone; but they shall be placed on the same footing in every respect as the boats and goods of the colony. And still more fully to encourage innocent and useful trade among the Timmanees, she consents to pay to the Chief of the Timmanees, for himself and the remaining Chiefs, 1*l.* on every 100*l.* in value of all the goods imported into the colony of Sierra Leone, which now pay 3*l.* for every 100*l.* to the use of the colony, or such a per centage on the said goods as would, on an average of the last 3 years, produce 1,000*l.* a-year, which rate per cent. shall not (when ascertained by the Collector of Customs) hereafter be varied, deducting from this further payment the amount of the sums stipulated to be paid to each Chief by the present Article.

XIV. And it is agreed that all these payments shall be made at Port Logo, in the first week in February in every year, in the following manner. An English officer shall inquire in each year, whether the Chief of the Timmanees and his people have faithfully kept the present agreement, and redressed all grievances of the English people; and if he shall be satisfied that they have done so, he shall deliver the goods mentioned in Art. XIII of this agreement to each of the Chiefs or their agents, and he shall render an account of the money received on account of the Timmanees at Freetown, and pay the amount to the Chief of the Timmanees, or his agent, deducting therefrom the value of the articles paid; and the remaining amount, so paid to the Chiefs of the Timmanees, shall be distributed as follows:—one-fourth to the Chief, or Alikarlie, for his own use; one-fourth to Alimamy Dalla Mahomadu, for himself; and the other half among such Chiefs as shall be selected in each year by the said Chief of the Timmanees and the English resident, and if there should be no resident, by the English officer who pays the amount; but should the Chief of the Timmanees and resident or officer differ in the selection, the points of difference are to be determined by the Governor of Sierra Leone.

XV. And if it should appear to the Queen of England more convenient that the people of England should pay 5*l.* in value of goods sold in the Timmanee country, instead of 1*l.* in value upon all the goods now paying 3*l.* in Sierra Leone, in that case the said Chief agrees to take the said 5*l.* on the price of the goods sold in this country, in lieu of all other customs and dues on such goods, to be levied and paid in such manner as may be hereafter agreed.

XVI. The Conventions between his Excellency Henry Dundas Campbell, bearing date the 16th day of April, 1836, and the 11th of April, 1837, and the several Chiefs therein named; as well as the previous Treaty with Governor Findlay, dated the 23rd day of September, 1831, are declared void, in consideration of the present agreement.

XVII. No wars shall be entered into between the Chiefs of the Timmanee people or their successors, or with any other Chiefs or State, without first making the Government at Sierra Leone acquainted with the matter in dispute.

XVIII. The practice of making human sacrifices on account of religious or political ceremonies, shall cease for ever in the Timmanee country.

XIX. This agreement shall be forthwith ratified and confirmed by the Alikarlie or Chief of the Timmanees, and within 8 months, or at the earliest practicable moment, by the Queen of England.

Done, signed, and sealed at Port Logo, on this 13th day of February, 1841.

JOHN JEREMIE.	ALI MAMMY DALLA	their
R. HORNELL, M.C.	MAHOMADU,	X
WM. COLE, M.C.	NAMINAH SAHANG,	X
W. FERGUSON, M.C.	BRIMAH KAYETTE,	X
	BRIMAH LUKE,	X
		marks.

I ratify and confirm the above Treaty. Port Logo, this 13th day of February, in the year of our Lord, 1841.

(L.S.) KII.

[Signature of Alikarlie Namina Moodo.]

Scale for 100 Bars.

2 pieces blue baft, 20 bars; 2 pieces white baft, 20; 2 pieces satin stripe, 24; tobacco, 25; rum, 5 gallons and jar, 11.

Scale for 50 Bars.

1 piece blue baft, 10 bars; 1 piece white baft, 10; 1 piece satin stripe, 12; tobacco, 12; rum, 3 gallons, 6.

Scale for 80 Bars.

2 pieces blue baft, 20 bars; 2 pieces white baft, 20; 1 piece satin stripe, 12; tobacco, 20; rum, 4 gallons and jar, 8.

(7.)—CONVENTION *with King Fanatoro and Prince Grey of Cape Mount.*—Signed at Fanama, February 21, 1841.

CONVENTION of Amity and Commerce between King Fanatoro and Prince Grey, of the country of Cape Mount, and Lieutenant H. F. Seagram, Commander of Her Britannic Majesty's ship *Termagant*, on the part of England.

It is agreed and determined.

1st. THAT from this date, the foreign Slave Trade is totally abolished; and that the King and Prince engage to punish any man, being subject to their authority, who shall purchase or sell, or aid and assist in the purchase or selling of any slave for the purpose of embarkation, or for removal out of their territory.

2nd. That all English vessels shall enjoy a free and unrestricted commerce with the natives of this country.



3rd. That all Englishmen, who may land for the purpose of trade, shall be protected.

4th. That the King and Prince engage to allow a British factory to be established.

5th. That any misunderstanding arising between a native or natives and any person or persons under the protection of England, the offending parties shall be delivered over to the country to which they may belong, to be punished according to law.

In faith of which we have hereunto set our hands and seal at the town of Fanama, this 21st day of February, 1841.

H. F. SEAGRAM,
Lieutenant and Commander.

KING FANATORO, ^{their} 
PRINCE GREY, 
marks.

GEORGE D. NOBBS,
Clerk in Charge.

ADDITIONAL AGREEMENT. *March 13, 1841.*

AND it is further hereby agreed between King Fanatoro and Prince Grey, of the country of Cape Mount, Cape Mount River and its dependencies, and William Tucker, Esq., Captain of Her Britannic Majesty's sloop *Wolverine*, and Senior Officer in command of Her Britannic Majesty's ships and vessels employed and to be employed on the Western Coast of Africa.

That no slaves belonging to natives not then subjects nor tributary to them or to foreigners (white men), shall be permitted on any account whatever to enter and to pass through the territory of Cape Mount, Cape Mount River and its dependencies, either to the eastward or westward, for exportation.

And that this Additional Article shall, to all intents and purposes, have the same force and effect as if it had been inserted word for word in the Convention of Amity and Commerce entered into

between King Fanatoro and Prince Grey, and Lieutenant Seagram, commanding her Britannic Majesty's brigantine *Termagant*, on the 21st day of February, 1841.

In witness whereof the respective parties have signed the present Additional Article, and thereto affixed their seals.

Done at Fanama Town, this 13th day of March, 1841.

WILLIAM TUCKER, <i>Captain</i>	their
<i>H. M. S. Wolverine, and</i>	KING FANATORO, X
<i>Senior Officer in command.</i>	PRINCE GREY, X
WILLM. HY. BATEMAN,	JOHN FREEMAN, X
<i>Acting Purser, H. M. S. Wol-</i>	BOB KENYON, X
<i>verine.</i>	marks.

THEO. CAUST, *Resident Merchant, of the House of*
Redman, Caust and Co., of London.

A. R. DUNLAP, *Mate, H.M.S. Wolverine.*

(8.)—TREATY with the King of Cartabar.—Signed at Cartabar,
April 23, 1841.

TREATY between Henry Vere Huntly, Lieutenant-Governor of the British Settlements on the Gambia, and Commander in the Royal Navy, on the part of Her Majesty Victoria the First, Queen of Great Britain and Ireland, and the King of Cartabar.

ART. I. No white persons shall be made slaves in the Cartabar country in any case; and if any white persons are now slaves in that country, or shall hereafter be brought into it as slaves, they shall instantly be delivered into the care of the Lieutenant-Governor of Her Majesty's settlements on the Gambia.

II. No persons, of whatever colour or wherever born, shall be taken out of the Cartabar country as slaves; and no persons in the Cartabar country shall be in any way concerned in seizing, keeping, or carrying, or sending away, any persons, for the purpose of their being taken out of the Cartabar country as slaves; and the King of Cartabar will punish severely all who break this law.

III. The officers of England may seize every vessel or boat of Cartabar found anywhere, carrying on the trade in slaves in the waters of Cartabar; and the vessels and boats so seized shall be taken to an English possession, to be tried by English law; and, if condemned, shall, with appurtenances and cargo, be sold; the produce of the sale being equally divided between the Queen of England and the King of Cartabar. The slaves found on board shall be set free.

IV. English people may freely come into the country of Cartabar, and may stay in it or pass through it; and they shall be treated as friends while in it, and shall receive any supplies there, as may be

required. They may freely practise the Christian religion there, and shall not be harmed or troubled on that account, and they may leave the country when they please.

V. English people may always trade freely with the people of Cartabar, in every article which they may wish either to buy or sell; nor shall any one be prevented from buying or selling any article, nor shall any one be forced to buy or sell anything. And the King of Cartabar agrees to allow all English merchants to enter his territory free of all duty or demand of any kind, so long as the English Government permits the same course with respect to the produce of the Cartabar country, when carried to any of the British settlements on the Gambia.

VI. The paths shall be kept open through the country of Cartabar to other countries, so that English traders may carry goods of all kinds through the Cartabar country to sell them elsewhere; and the traders of other countries may bring their goods through the Cartabar country to trade with the English people. And the King of Cartabar will not make war upon any other country, unless with the consent of the Lieutenant-Governor of the British settlements on the Gambia.

VII. English people may buy, sell, or hire lands or houses in the Cartabar country, and their houses shall not be entered without their consent; nor shall their goods be seized nor their persons touched; and the King of Cartabar shall punish all who wrongfully treat the English people in his territory.

VIII. English people must not break the laws of the Cartabar country, and when they do, the King shall send a true account of the matter to the nearest place where there is an English force; and the Commandant of such force shall send for the accused English person, in order that he may be tried and disposed of according to the laws of his own country.

IX. If the Cartabar people should take away the property of an English person, or should not pay their just debts to such English person, the King of Cartabar will do all he can to make the Cartabar people return the property and pay the debt; and the English Lieutenant-Governor engages, on the part of Her Majesty the Queen of Great Britain, to act in a reciprocal manner.

X. The Queen of England may appoint an agent to visit or to reside in the Cartabar country, and this agent is to watch over the fulfilment of this Treaty; he shall always receive honour and protection in the Cartabar country, and the King will pay attention to what he says. The person and property of this agent shall be sacred.

XI. The King of Cartabar shall, within 48 hours of the date of this Treaty, make a law for carrying the whole of it into effect, and

shall proclaim that law; and the King of Cartabar shall put that law into force from that time for ever.

XII. The Queen of England, out of friendship for the King of Cartabar, and because the King of Cartabar has made this Treaty, gives him the following articles: One pound No. 2 amber, 10 gallons of rum, 75 pounds of tobacco, $2\frac{1}{2}$ barrels of gunpowder, 3 fowling-pieces, 3 pieces of blue baft, 6 iron bars, 2 pieces of white baft, 2 yards of scarlet, 200 flints, 1 ounce of coral, 1 jug of rum.

And the Chief of Cartabar acknowledges he has received those articles.

And so we, the Lieutenant-Governor of the British settlements on the Gambia, on the part of the Queen of England, and the King of Cartabar, have made this Agreement, and have signed it at Cartabar, this 23rd day of April, 1841. And this Agreement shall stand for ever.

H. V. HUNTLY, *Lieutenant-Governor.*

NAMA COOMBA, ^{his} ~~X~~ *King of*
Cartabar. ^{mark.}

(9.)—TREATY with King Bell.—Signed at Bell's Town, Cameroons River, May 7, 1841.

WILLIAM SIMPSON BLOUNT, Esquire, Lieutenant commanding Her Britannic Majesty's steam-vessel *Pluto*, on the part of Her Majesty the Queen of England, and King Bell of Bell's Town, Cameroons,

Have agreed upon the following Articles and Conditions:

ART. I. It is agreed, and the 2 Contracting Parties hereby covenant and agree, that, from the date of this Treaty, there shall be an entire cessation and extinction, throughout the territory of King Bell, and wherever his influence can extend, of the sale or transfer of slaves, or other persons whatever, to be removed from off the territory of King Bell into any country, island, or dominion of any other Prince or Potentate whatever; and that King Bell will make a proclamation and a law prohibiting all his subjects, or persons depending on him, to sell any slave to be transported from his territory, or to aid, or abet, or assist, in any such sale, under penalty of severe punishment.

II. King Bell further agrees, that should any slave-vessels arrive in the river, he will send and inform any of Her Britannic Majesty's cruisers thereof that may be in the neighbourhood.

III. And in consideration of this concession on the part of King Bell, and in full satisfaction for the same, and for the loss of revenue thereby incurred by King Bell, Lieutenant W. S. Blount, on the part of the Queen of England, does engage, that there shall be paid to King Bell, according to the Treasury letter dated 20th November,

1840, and a Declaration made by Kings Bell and Acqua, on 10th of June, 1840,* before Lieutenant R. Levinge, of Her Britannic Majesty's brigantine *Buzzard*, and Mr. Lilley, resident at Cameroons, yearly, for 5 years, the following articles:—60 muskets, 100 pieces of cloth, 2 barrels of powder, 2 puncheons of rum, 1 scarlet coat with epaulettes, 1 sword; upon a certificate being received that the said laws and proclamations have been enforced, which shall be signed by King Bell.

Done at the King's House, Bell's Town, Cameroons River, this 7th day of May, 1841.

W. S. BLOUNT, *Lieutenant*
and *Commander*.

KING BELL,  his
mark.

British Declaration.—April 25, 1842.

I, LIEUTENANT EDWARD C. EARLE, commanding Her Britannic Majesty's brig *Rapid*, on the part of Her Majesty the Queen of England, hereby make known to King Bell (with reference to the Treaty for the suppression of the Slave Trade, this day ratified), that should it appear at any time hereafter, from the want of the annual certificate (which King Bell declares he will produce), of no Slave Trade having existed in his territories, or from any other circumstances, that Slave Trade has existed, the presents will in such case be discontinued, and King Bell will incur the severe displeasure of Great Britain, by whom the Slave Trade will be put down by force.

Given on board Her Britannic Majesty's brig *Rapid*, in the River Cameroons, April 25, 1842.

EDWARD C. EARLE, *Lieutenant and Commander*.

(10.)—TREATY with King Acqua.—Signed at Acqua Town, Cameroons River, May 7, 1841.

WILLIAM SIMPSON BLOUNT, Esquire, Lieutenant, commanding Her Britannic Majesty's steam-vessel *Pluto*, on the part of Her Majesty the Queen of England, and King Acqua, of Acqua Town, Cameroons,

Have agreed upon the following Articles and Conditions:

ART. I. It is agreed, and the 2 Contracting Parties hereby covenant and agree, that, from the date of this Treaty, there shall be an entire cessation and extinction throughout the territory of King Acqua, and wherever his influence can extend, of the sale or transfer of slaves, or other persons whatever, to be removed from off the territory of King Acqua into any country, island, or dominion of any other Prince or Potentate whatever; and that King Acqua will


make a proclamation and a law prohibiting all his subjects, or persons depending on him, to sell any slave to be transported from his territory, or to aid, or abet, or assist, in any such sale, under penalty of severe punishment.

II. King Acqua further agrees, that should any slave-vessels arrive in the river, he will send and inform any of Her Britannic Majesty's cruizers thereof that may be in the neighbourhood.

III. And in consideration of this concession on the part of King Acqua, and in full satisfaction for the same, and for the loss of revenue thereby incurred by King Acqua, Lieutenant W. S. Blount, on the part of the Queen of England, does engage, that there shall be paid to King Acqua (according to the Treasury letter dated 20th November, 1840, and Declaration made by Kings Acqua and Bell, on the 10th of June, 1840,* before Lieutenant R. Levinge, of Her Britannic Majesty's brigantine *Buzzard*, and Mr Lilley, resident at Cameroons), yearly, for 5 years, the following articles:—60 muskets, 100 pieces of cloth, 2 barrels of powder, 2 puncheons of rum, 1 scarlet coat with epaulettes, 1 sword; upon a certificate being received that the said laws and proclamations had been enforced, which shall be signed by King Acqua.

Done at the King's House, Acqua Town, Cameroons River, this 7th day of May, 1841.

WILLIAM S. BLOUNT, *Lieutenant and Commander.*

KING ACQUA, ^{his}  _{mark.}

British Declaration.—April 25, 1842.

I, LIEUTENANT EDWARD C. EARLE, commanding Her Britannic Majesty's brig *Rapid*, on the part of Her Majesty the Queen of England, hereby make known to King Acqua (with reference to the Treaty for the suppression of the Slave Trade, this day ratified), that should it appear at any time hereafter, from the want of the annual certificate (which King Acqua declares he will produce), of no Slave Trade having existed in his territories, or from any other circumstances, that Slave Trade has existed, the presents will in such case be discontinued, and King Acqua will incur the severe displeasure of Great Britain, by whom the Slave Trade will be put down by force.

Given on board Her Britannic Majesty's brig *Rapid*, in the River Cameroons, April 25, 1842.

EDWARD C. EARLE, *Lieutenant and Commander.*

(11.)—TREATY *with Obi Osai, Chief of Aboh, (Eboe or Ibu.)—
Signed off Aboh, August 28, 1841.*

THERE shall be peace and friendship between the people of Great Britain and the people of Aboh; and the Slave Trade shall be put down for ever in the Aboh country; and the people of Great Britain and the people of Aboh shall trade together innocently, justly, kindly, and usefully; and Captain Henry Dundas Trotter, Commander William Allen, Commander Bird Allen, and William Cook, Esquire, Commissioners on the part of the Queen of Great Britain, and Obi Osai on his own part, and that of his people, as the Chief of the Aboh country, do make the following Agreement for these purposes:

ART. I. The Slave Trade shall be utterly abolished in the Aboh country, and from the signing of this Agreement no persons whatever shall be removed out of the country for the purpose of being treated or dealt with as slaves; nor shall any persons whatever be allowed to be brought through the country, or any part thereof, for the purpose of being treated or dealt with as slaves, by way of exportation or otherwise, nor shall any persons whatever be imported into the country for the purpose of being dealt with as slaves; and no subject of the Aboh country shall be in any way concerned in the exporting or importing slaves, or carrying on the Slave Trade, either within or without the limits of the country. The Chief promises to inflict reasonable punishment on all his subjects who may break this law.

II. The officers of the Queen of Great Britain may seize every vessel or boat of Aboh, found anywhere carrying on the Trade in Slaves, and may also seize every vessel or boat of other nations with whom a similar Agreement has been made, found carrying on the Trade in Slaves in the waters belonging to the Chief of Aboh. Upon such seizure and after regular condemnation, according to the provisions of this Agreement, the slaves shall be made free, and the vessels or boats shall be destroyed.

III. That in all cases of the seizure of vessels and boats with the slaves on board, under the provisions of this Agreement, the said Commissioners, or those of them who may be present, and in their absence, the Commissioned or Commanding Officer on board the British vessel making the seizure, or any agent authorised for that purpose, shall, in presence of the Chief, or headman appointed by him, make due examination and inquiry into the case, and shall condemn the said vessel or boat with the slaves on board, if satisfied that the provisions of this Agreement have been thus contravened, or otherwise acquit and restore the same.

IV. That from and after the signing of this Agreement, no persons whatever, coming into the country, shall be reduced into

slavery, or treated or used as slaves. All white persons whatever, and all British subjects, of whatever colour, at present detained in slavery, shall be immediately set free.

V. British people may freely come into the Aboh country, and may stay in it or pass through it; and they shall be treated as friends while in it, and they may leave the country with their property when they please.

VI. Christians of whatever nation or country, peaceably conducting themselves in the dominions of the Chief of Aboh, shall be left in the free enjoyment and exercise of the Christian religion, and shall not be hindered or molested in their endeavours to teach the same to all persons whatever, willing and desirous to be taught; nor shall any subject of Aboh who may embrace the Christian faith, be, on that account, or on account of the teaching or exercise thereof, molested or troubled in any manner whatsoever.

VII. British people may always trade freely with the people of Aboh, in every article which they may wish to buy or sell; and neither the British people, nor the people of Aboh, shall ever be forced to buy or sell any article, nor shall they be prevented from buying or selling any article with whomsoever they please, and they shall not be compelled to employ an agent; and the customs and dues taken by the Chief of Aboh on British goods sold in the Aboh country shall in no case be more altogether than one-twentieth part of the goods so imported, or their ascertained value; and there shall be no duty, toll, or custom, levied on goods exported.

VIII. The paths shall be kept open through the Aboh country to other countries, so that British traders may carry goods of all kinds through the Aboh country to sell them elsewhere; and the traders of other countries may bring their goods through the Aboh country to trade with the British people.

IX. British people may buy and sell or hire lands and houses in the Aboh country; and their houses shall not be entered without their consent, nor shall their goods be seized, nor their persons touched; and if British people are wronged or ill-treated by the people of Aboh, the Chief of Aboh shall punish those doing such wrong.

X. But the British people must not break the laws of the Aboh country; and when they are accused of breaking the laws, the Chief may detain the person charged with committing any grievous crime in safe custody, taking care that he be treated with humanity; and shall send a true account of the matter to the nearest place where there is a British force; and the commander of such British force shall send for the British person, who shall be tried according to British law, and shall be punished, if found guilty, and a report of such punishment shall be forwarded to the Chief for his satisfaction.

XI. If the Aboh people should take away the property of a British person, or should not pay their just debts to a British person, the Chief of Aboh shall do all he can to make the Aboh people restore the property and pay the debt; and if a British person shall take away the property of the Aboh people, or shall not pay his just debts to the Aboh people, he shall be subject to the laws of the country for the recovery of the same; provided always that no injury be done to his person. The Chief of Aboh shall make known the fact to the Commander of the British force nearest to the Aboh country, or to the resident agent, if there is one; and the British commander or agent, whichever it may be, shall do all he can to make the British person restore the property and pay the debt.

XII. The Queen of Great Britain may appoint an agent to visit Aboh, or to reside there, in order to watch over the interests of the British people, and to see that this Agreement is fulfilled; and such agent shall always receive honour and protection in the Aboh country; and the Aboh Chief shall pay attention to what the agent says; and the person and property of the agent shall be sacred.

XIII. It is understood that all British vessels or boats are at liberty to navigate the River Niger and its branches and tributaries, without the payment of any duties, tolls, or customs, whatsoever. The Chief of Aboh promises to use his utmost endeavours to facilitate the conveyance of messengers and despatches to or from British people.

XIV. The power of sanctioning or modifying this Treaty is expressly reserved to Her Majesty the Queen of Great Britain.

XV. Any infringement of this Treaty will subject the Chief of Aboh to the severe displeasure of the Queen of Great Britain, and the loss of the duties herein stipulated for.

XVI. The Chief of Aboh shall, within 48 hours of the date of this Agreement, make a law for carrying the whole of it into effect, and shall proclaim that law; and the Chief of Aboh shall put that law in force from that time for ever.

XVII. The Queen of Great Britain, out of friendship for the Chief of Aboh, and because the Chief of Aboh has made this Agreement, gives him the following articles:—1 ornamental velvet cap; 1 double-barrelled gun, German silver mounted, flint-lock; 1 pair of pistols, German silver mounted, flint-lock; 1 gilt mounted sabre; 6 yards of cotton velvet; 1 piece of maddapolan; 2 pieces of printed Manchester goods; $\frac{1}{2}$ piece of caricature handkerchiefs; 5 yards of superfine scarlet cloth; 5 yards of superfine blue cloth; 36 bead necklaces, of sorts; 100 flints; 1 case, containing razors, knife, and scissors; 32 small looking-glasses; 1 large lustring umbrella; 1 telescope; 1 serjeant-major's dress, complete; 4 red

caps; 4 red jackets, baize; 4 shirts; 4 black jacks; $1\frac{1}{2}$ piece of Romal handkerchiefs; 1 pewter basin; 4 brass bracelets (bangles); 1 brass snuff-box; 2 dozen gilt buttons; 6 large pewter spoons; 6 small pewter spoons: 2 brass lamps; 1 padlock; 6 pocket knives; 1 saw; 2 pieces of Pondicherry; 1 piece of Naganapots; 2 pieces of brawls; 1 piece of Madras handkerchiefs; 1 piece of brown shirting; 2 pieces of Bejutepauts; 1 piece of cotton bandanas; 1 piece of Niccannee; 1 piece of Chillo; 6 tin horns; 1 Arabic Bible, 1 oil press. And the Chief of Aboh hereby acknowledges he has received those articles.

And so we, Captain Henry Dundas Trotter, Commander William Allen, Commander Bird Allen, William Cook, Esquire, and Obi Osai, Chief of Aboh, have made this Agreement, and have signed it on board Her Majesty's steam-vessel *Albert*, off Aboh, this 28th day of August, 1841. And this Agreement shall stand for ever.

II. D. TROTTER, *First Com-* OBI OSAI, ^{his} *Chief of the Aboh*
missioner. ~~mark.~~ *Country.*

WILLIAM ALLEN, *Second Commissioner.*

BIRD ALLEN, *Third Commissioner.*

W. COOK, *Fourth Commissioner.*

ADDITIONAL ARTICLE.

THE Chief of Aboh declares that no human beings are sacrificed on account of religious or other ceremonies or customs, in the Aboh country, and hereby stipulates that he will prevent the introduction of such barbarous and inhuman customs and ceremonies into his country.

And so we, Captain Henry Dundas Trotter, Commander William Allen, Commander Bird Allen, William Cook, Esquire, and Obi Osai, Chief of Aboh, have made this agreement, and have signed it on board Her Majesty's steam-vessel *Albert*, off Aboh, this 28th day of August, 1841. And this agreement shall stand for ever.

[Signatures as above.]

(12.)—TREATY with *Ochijeh, Attah of Egarra*.—Signed at *Iddah*, September 6, 1841.

THERE shall be peace and friendship between the people of Great Britain and the people of Egarra; and the Slave Trade shall be put down for ever in the Egarra country; and the people of Great Britain, and the people of Egarra, shall trade innocently, justly, kindly, and usefully; and Captain Henry Dundas Trotter, Commander William Allen, Commander Bird Allen, and William Cook, Esquire, Commissioners on the part of the Queen of Great

Britain, and Ochijeh, the Attah of Egarra, on his own part and that of his people, do make the following agreement for these purposes :

ART. I. The Slave Trade shall be utterly abolished in the Egarra country, and from the signing of this agreement, no persons whatever shall be removed out of the country for the purpose of being treated or dealt with as slaves ; nor shall any persons whatever be allowed to be brought through the country, or any part thereof, for the purpose of being treated or dealt with as slaves, by way of exportation or otherwise ; nor shall any persons whatever be imported into the country for the purpose of being dealt with as slaves ; and no subject of the Egarra country shall be in any way concerned in the exporting or importing slaves, or carrying on the Slave Trade, either within or without the limits of the country. The Chief promises to inflict reasonable punishment on all his subjects who may break this law.

II. The officers of the Queen of Great Britain may seize every vessel or boat of Egarra found anywhere carrying on the trade in slaves, and may also seize every vessel or boat of other nations with whom a similar agreement has been made, found carrying on the trade in slaves in the waters belonging to the Chief of Egarra ; upon which seizure, and after regular condemnation, according to the provisions of this agreement, the slaves shall be made free and the vessels or boats shall be destroyed.

III. That in all cases of the seizure of vessels and boats, with slaves on board, under the provisions of this agreement, the said Commissioners, or those of them who may be present, and in their absence, the commissioned or commanding officer on board the British vessel making the seizure, or any agent authorized for that purpose, shall, in presence of the Chief, or headman appointed by him, make due examination and inquiry into the case, and shall condemn the said vessel or boat with the slaves on board, if satisfied that the provisions of this agreement have been contravened, or otherwise acquit and restore the same.

IV. That from and after the signing of this agreement, no persons whatever, coming into the country, shall be reduced into slavery, or treated or used as slaves. All white persons whatever, and all British subjects, of whatever colour, at present detained in slavery, shall be immediately set free.

V. British people may freely come into the Egarra country, and may stay in it, or may pass through it ; and they shall be treated as friends while in it, and they may leave the country with their property when they please.

VI. Christians, of whatever nation or country, peaceably conducting themselves in the dominions of the Chief of Egarra, shall be left in the free enjoyment and exercise of the Christian religion,

and shall not be hindered or molested in their endeavours to teach the same to all persons whatever, willing and desirous to be taught; nor shall any subject of Egarra, who may embrace the Christian faith, be, on that account, or on account of the teaching or exercise thereof, molested or troubled in any manner whatsoever.

VII. British people may always trade freely with the people of Egarra, in every article which they may wish to buy or sell; and neither the British people, nor the people of Egarra, shall ever be forced to buy or sell any article, nor shall they be prevented from buying or selling any article with whomsoever they please, and they shall not be compelled to employ an agent; and the customs and dues taken by the Chief of Egarra on British goods sold in the Egarra country, shall in no case be more altogether than one-twentieth part of the goods so imported, or their ascertained value; and there shall be no duty, toll, or custom levied on goods exported.

VIII. The paths shall be kept open through the Egarra country to other countries, so that British traders may carry goods of all kinds through the Egarra country, to sell them elsewhere; and the traders of other countries may bring their goods through the Egarra country, to trade with the British people.

IX. British people may buy and sell, or hire lands and houses in the Egarra country; and their houses shall not be entered without their consent, nor shall their goods be seized, nor their persons touched; and if British people are wronged or ill-treated by the people of Egarra, the Chief of Egarra shall punish those doing such wrong.

X. But British people must not break the laws of the Egarra country; and when they are accused of breaking the laws, the Chief may detain the person charged with committing any grievous crime in safe custody, taking care that he be treated with humanity, and shall send a true account of the matter to the nearest place where there is a British force or authorized agent; and the commander of such British force, or authorised agent, shall send for the British person, who shall be tried according to British law, and shall be punished, if found guilty, and a report of such punishment shall be forwarded to the Chief, for his satisfaction.

XI. If the Egarra people should take away the property of a British person, or should not pay their just debts to a British person, the Chief of Egarra shall do all he can to make the Egarra people restore the property and pay the debt; and if a British person should take away the property of the Egarra people, or shall not pay his just debts to the Egarra people, he shall be subject to the laws of the country for the recovery of the same; provided always that no injury be done to his person. The Chief of Egarra shall make known the fact to the commander of the British force

nearest to the Egarra country, or to the resident agent, if there is one; and the British commander or agent, whichever it may be, shall do all he can to make the British person restore the property and pay the debt.

XII. The Queen of Great Britain may appoint an agent to visit Egarra, or to reside there, in order to watch over the interests of the British people, and to see that this agreement is fulfilled; and such agent shall always receive honour and protection in the Egarra country; and the Egarra Chief shall pay attention to what the agent says; and the person and property of the agent shall be sacred.

XIII. It is understood that all British vessels or boats are at liberty to navigate the River Niger, and its branches and tributaries, without the payment of any duties, tolls, or customs whatsoever. The Chief of Egarra promises to use his utmost endeavours to facilitate the conveyance of messengers and despatches to or from British people.

XIV. The power of sanctioning or modifying this Treaty is expressly reserved to Her Majesty the Queen of Great Britain.

XV. Any infringement of this Treaty will subject the Chief of Egarra to the severe displeasure of the Queen of Great Britain, and the loss of the duties herein stipulated for.

XVI. The Chief of Egarra shall, within 48 hours of the date of this agreement, make a law for carrying the whole of it into effect, and shall proclaim that law, and the Chief of Egarra shall put that law in force from that time for ever.

XVII. The Queen of Great Britain, out of friendship for the Chief of Egarra, and because the Chief of Egarra has made this agreement, gives him the following presents: 1 double-barrelled gun; 1 pair of ornamental pistols; 1 gilt sabre; 1 case, containing scissors, knife, and razors; 12 hatchets; 2 hand-saws; 12 hoes; 1 silk velvet robe; 1 printed muslin robe; 1 velvet cap; 1 pair of silk trousers; 1 silk waistcoat; 10 yards of crimson silk; 10 yards of merino; 5 yards of scarlet cloth; 5 yards of blue cloth; 2 pieces of printed cotton; 4 strings of beads; 2 cut garnet necklaces; 2 pair of bracelets; 2 bangles; 1 piece of shirting; 1 piece of maddapolan; 1 piece of baft; 1 pair of boots; 1 pair of slippers; 1 large looking glass; 12 small looking-glasses; 1 elephant gun; 1 drum; 1 tambourine; 1 large silk umbrella; 1 piece of Turkey red twill; 2 pieces of handkerchiefs; 1 telescope; 12 padlocks; 2 lamps; 12 snuff-boxes; 12 coronation medals; 12 nuptial medals; 1 piece of muslin, gold and mull; 5 ounces of real coral; 1 quire writing paper; 12 pair of spectacles; 2 pair of ear-rings; 1 oil press. And the Chief of Egarra hereby acknowledges he has received those articles.

And so we, Captain Henry Dundas Trotter, Commander William Allen, Commander Bird Allen, and William Cook, Esquire, on behalf of the Queen of Great Britain, and Ochijeh, the Attah of Egarra, have made this agreement, and have signed it in triplicate, at Iddah, in the presence of Almighty God, this 6th day of September, in the year of Our Lord Jesus Christ, 1841.

And this agreement shall stand for ever.

II. D. TROTTER, *First Commissioner.*

WILLIAM ALLEN, *Second Commissioner.*

BIRD ALLEN, *Third Commissioner.*

W. COOK, *Fourth Commissioner.*

Signed in the presence and with the authority of Ochijeh, Attah of Egarra, by the Judge of Iddah, it being contrary to custom for the Attah to sign any document.

LABO, ^{his} ~~mark~~ *Chief Judge of Iddah.*

(13.)—TREATY with King Eyamba.—Signed at Calebar Town, Old Calebar River, December 6, 1841.

WILLIAM SIMPSON BLOUNT, Esquire, Lieutenant-commanding Her Britannic Majesty's steam-vessels *Pluto*, on the part of Her Majesty the Queen of England, and Eyamba, King of Calebar, on the part of himself, his heirs, and successors,

Have agreed upon the following Articles and Conditions:

Art. I. It is agreed, and the 2 Contracting Parties hereby covenant and agree, that from the date of this Treaty there shall be an entire cessation and extinction for ever, throughout the territory of King Eyamba, and wherever his influence can extend, of the sale or export of slaves, or other persons whatever, to be removed from off his territory into any foreign island, country, or dominion; and that King Eyamba will make a proclamation and a law prohibiting all his subjects, or persons within his jurisdiction, to sell any slave or slaves to be transported from his territory, or to aid, abet, or assist in any way, such sale, under penalty of severe punishment, and stopping the whole trade of the river.

II. King Eyamba further agrees, that should any slave-vessel be in the river, he will inform any of Her Britannic Majesty's vessels that may be in the neighbourhood.

III. And in consideration of this concession on the part of King Eyamba, and in full satisfaction for the same, and for the loss of revenue thereby incurred by King Eyamba, Lieutenant Blount, on the part of the Queen of England, does engage, that there shall be paid to King Eyamba, yearly, for 5 years, from the ratification and

approval of this Treaty, the following, viz., 2,000 dollars (Spanish); upon a certificate being received that the said laws and proclamations have been enforced, which shall be signed by King Eyamba and the masters of any British merchant-vessels there may be in the river at the time.

Done at the King's House, Calebar Town, Old Calebar River, this 6th day of December, 1841.

W. S. BLOUNT, *Lieut. Commanding.*

KING EYAMBA.

Witnesses:

JOHN LILLEY, *Resident at Cameroons.*

J. McPHERSON, *Master, brig Mary Ann Peters.*

R. M. PORTER, *Barque Captain Ross.*

J. M. KENTY, *Brig Satisfaction.*

W. B. DISHLEY, *Ship Triton.*

J. HADDOCK, *Clerk in Charge, H.M.'s steam-vessel Pluto.*

(14.)—TREATY *with the King and Chiefs of the Papels.*—Signed at Bissao, April 1, 1842.

TREATY entered into by and between Lieutenant Charles Horace Lapidge, of the Royal Navy, commanding Her Majesty's brig *Pantaloön*, on behalf of Thomas Lewis Ingram, Esq., Acting Governor of the Settlement of Bathurst and its dependencies in the River Gambia, for Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, her heirs and successors, and the King of the Papel country, his Chiefs and headmen, for themselves, their heirs and successors.

ART. I. It is agreed on by the King of the Papel country, his Chiefs and headmen, for themselves, their heirs and successors, that no British vessel shall be in any manner or any way molested by any of the natives of the Papel country aforesaid.

II. It is further agreed on the part of the King of the Papel country aforesaid, his Chiefs and headmen, for themselves, their heirs and successors, that in the event of any vessel being wrecked on or near the coast of the Papel country, the master, seamen, passengers, and other persons happening to be on board the said vessel at the time she may become a wreck, shall be kindly and humanely treated, and be supplied with provisions and other necessities; and that every assistance shall be rendered by the King of the said country and the natives thereof, to the said persons to reach the nearest European settlement.

III. It is further agreed, on the part of the King of the Papel country aforesaid, his Chiefs and headmen, for themselves, their heirs and successors, that every assistance shall be rendered by the King of the said country and the natives thereof, to all vessels that

shall or may be stranded on or near the coasts of the Papel country aforesaid; and in the event of any vessel being wrecked on or near the coasts of the Papel country every assistance shall be rendered by the King of the said country and the natives thereof, to save the cargo of the said vessel, and to deliver the cargo so saved, or such part thereof as may be saved, to the nearest European settlement, to be retained by the Governor thereof until claimed by the rightful owner or owners.

IV. It is further agreed, on the part of the King of the Papel country aforesaid, his Chiefs and headmen, for themselves, their heirs and successors, that on no account whatever shall any ransom be claimed for the liberation of any persons who may be shipwrecked from any vessel lost on or near the coasts of the Papel country aforesaid, nor will they suffer any of the natives of the said Papel country to claim or demand any sum or sums of money as ransom for the liberation of the persons above described.

V. It is further agreed, on the part of the King of the Papel country aforesaid, his Chiefs and headmen, for themselves, their heirs and successors, that every protection in his and their power shall be afforded to all British traders while in any part of the Papel country, and that no customs whatever shall be demanded by the King of the said country, or any of the natives thereof, from British vessels trading to the Papel country aforesaid.

VI. It is further agreed, on the part of the King of the Papel country aforesaid, his Chiefs and headmen, for themselves, their heirs and successors, that every exertion shall be used by himself, his Chiefs, headmen, and natives of the Papel country aforesaid, to influence the Bajouga and other tribes, to bring all persons who may have been shipwrecked from any vessels, together with their property, to the nearest European settlement; and further to use every exertion with the said natives to prevent any vessel stranded on any of the coasts of the said country or countries being plundered; and also to prevent any sum or sums of money being claimed by the natives aforesaid as ransom for the liberation of any person or persons wrecked from any vessel on or near their coasts.

VII. It is further agreed, on the part of the King of the Papel country aforesaid, his Chiefs and headmen, for themselves, their heirs and successors, that there shall be furnished by the King of the Papel country aforesaid, and sent to the acting Governor of the settlement of Bathurst aforesaid, as hostages, 2 of the children of the said King, and 2 of the children of each of the 2 principal Chiefs of the Papel country aforesaid, who shall be considered as pledges on the part of the King, Chiefs, and headmen of the Papel country aforesaid, for the due and faithful performance of his and their part of this present Treaty.

VIII. It is further agreed, on the part of Lieutenant Charles Horace Lapidge, of the Royal Navy, commanding Her Majesty's brig *Pantaloön*, on behalf of Thomas Lewis Ingram, Esquire, acting Governor of the Settlement of Bathurst and its dependencies in the River Gambia, for Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, her heirs and successors, that if any expenses be incurred by the King of the Papel country, or any of the natives of the said country, in sending back any person or persons to a European settlement who may have been wrecked from any vessel as aforesaid, all reasonable disbursements shall be repaid; also that, if any expenses be incurred in saving or conveying a cargo saved from a vessel so wrecked as aforesaid to any European settlements, such reasonable expenses shall be paid to the King or natives of the country aforesaid.

IX. It is further agreed, on the part of Lieutenant Charles Horace Lapidge, of the Royal Navy, commanding Her Majesty's brig *Pantaloön*, on behalf of Thomas Lewis Ingram, Esquire, acting Governor of the settlement of Bathurst and its dependencies in the River Gambia aforesaid, for Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, her heirs and successors, that the King of the Papel country aforesaid, and the natives thereof, or the natives of the Bajouga and other tribes, as the case may be, shall be entitled to receive one-fourth of all goods saved by either of them from all vessels that may be wrecked on or near either or any of their coasts; but it shall be deemed necessary that the whole of the goods so saved shall be conveyed with all possible dispatch to Bissao, or the nearest European settlement, to be sold by auction, or be divided, as may be directed by the owner or owners, or, in his or their absence, by his or their agent or agents, or by the Governor of the settlement aforesaid, to which the said goods so saved shall be conveyed.


X. It is further agreed, on the part of Lieutenant Charles Horace Lapidge, of the Royal Navy commanding Her Majesty's brig *Pantaloön*, on behalf of Thomas Lewis Ingram, Esquire, acting Governor of the settlement of Bathurst, and its dependencies in the River Gambia aforesaid, for Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, her heirs and successors, that the hostages sent by the King of the Papel country as pledges for the due performance of his part of this present Treaty, shall be maintained and educated by and at the expense of the Government of the British settlements in the River Gambia, and shall be exchanged for others, if the said acting Governor, or his successor in office, shall deem others more likely to cause the strict adherence of the said King, Chiefs, and headmen of the Papel country aforesaid, to the foregoing conditions of this present Treaty.

It is lastly agreed, on the part of Lieutenant Charles Horace Lapidge, of the Royal Navy, commanding Her Majesty's brig *Pantaloön*, on behalf of Thomas Lewis Ingram, Esquire, acting Governor of the settlement of Bathurst, and its dependencies in the River Gambia aforesaid, for Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, her heirs and successors, that on condition of the King of the Papel country aforesaid performing in every respect the conditions aforesaid contained in this present Treaty, and complying with them in every respect, the 23 prisoners captured on the 16th day of February last by Her Majesty's brig *Pantaloön*, shall be restored to freedom.










(Inserted after a Conference with the King at Bissao.)

XI. Article VII is annulled; and it is agreed, in consideration of the Treaty being signed, that the 2 Papels on board shall be released, and that his Excellency the Governor of the settlement of Bathurst will restore as many of the 21 Papels as he may deem prudent, and if any are retained it will be for 2 years, and then to be exchanged for others.

Dated at the Fort of Bissao this 1st day of April, 1842.

D'BANDIM, ^{his}  *King of the Papels.*
mark.

In the presence of:

JOGORAFE,		THISTA. PREVRE.
DONO D'MUDORO		J. POZOLE.
MANSALMA,		JOHN CHAPMAN, <i>Clerk in Charge</i>
ORAPAL,		<i>of H.M. brig Pantaloön.</i>
JUIR DE PORO FRANCO VAS,		J. H. PINTA, <i>Como. Testa.</i>
FRANCISCO ALVES,		^{his} MOMBAS,  <i>Son of the King of</i>
ANTONIO D'ANDRADE,		<i>mark. Bandine.</i>
	marks.	C. H. LAPIDGE.
TESTA: ANTONIO LEANDES DA		J. HUGHES. ^{his}
SN. MONTN, <i>Como Asistente.</i>		TANATEE, or TENENTER, 
H. SAVARES DA NISGA SANTA,		<i>Chief of Bandin or Bandine. mark.</i>
<i>Gobernador de Bissao.</i>		C. H. LAPIDGE.
CHARLES HORACE LAPIDGE,		WALTER LAWRENCE.
<i>Lieutenant and Commander of</i>		A. S. ARKWRIGHT.
<i>H.M. brig Pantaloön.</i>		

These Signatures of the King's sons, and officers of Her Majesty's brig *Pantaloön*, were signed on board, this 1st day of April, 1842.

MANOEL DE SILVA, *Interpreter.*

(15.)—TREATY *with the Chiefs of Nyanibantang.*—Signed at MacCarthy's Island, December 31, 1842.

AGREEMENT entered into by Acting-Governor Ingram, on the part of Her Majesty's Government, and Sandebar, Chief of Nyanibantang.

OBJECT.

THERE shall be peace and friendship between the people of England and the people of Nyanibantang, and the Slave Trade shall be put down for ever in Nyanibantang, and the people of England and the people of Nyanibantang shall trade together innocently, justly, kindly, and usefully; and the said Acting-Governor, for the Queen of England, and the said Sandebar, for himself and the people of Nyanibantang, do make the following agreement for these purposes:

TERMS.

I. No white Christian persons shall be made slaves in the Nyanibantang country, or in any case; and if any white Christians are now slaves in the Nyanibantang country, or shall be brought into it as slaves, they shall instantly be set free by the Chief of Nyanibantang, and he shall assist them to return to their own country.

II. No persons of any colour, or wherever born, shall be taken out of the Nyanibantang country as slaves; and no person in the Nyanibantang country shall be in any way concerned in seizing, keeping, carrying, or sending away persons for the purpose of their being taken out of the Nyanibantang country as slaves; and the Chief of Nyanibantang shall punish severely those who break this law.

III. The officers of the Queen of England may seize every vessel or boat of Nyanibantang found anywhere carrying on the trade in slaves, and may also seize every vessel or boat of other nations found carrying on the trade in slaves in the waters belonging to the Chief of Nyanibantang; and the vessels and boat so seized shall be taken to an English possession, to be tried by English law; and when condemned shall be sold, and the produce of the sale shall be equally divided between the Queen of England and the Chief of Nyanibantang, and the slaves who were found on board shall be made free.

IV. English people may freely come into the Nyanibantang country, and may stay in it or pass through it; and they shall be treated as friends while in it, and shall receive every supply they need there; they may freely practise the Christian religion there, and shall not be harmed or troubled on that account; and they may leave the country when they please.

V. English people may always trade with the people of Nyanibantang in every article which they may wish to buy or sell; and neither the English people nor the people of Nyanibantang shall ever be forced to buy or sell any article, nor shall they be prevented from buying or selling any article; and the Chief agrees to allow the goods of English merchants to enter his territory free of duty, as long as the English shall receive the produce of his country free of duty.

VI. The paths shall be kept open through the Nyanibantang country to other countries, so that English traders may carry goods of all kinds through the Nyanibantang country to sell them elsewhere; and the traders of other countries may bring their goods through the Nyanibantang country to trade with the English people.

VII. English people may buy and sell, or hire lands and houses, in the Nyanibantang country; and their houses shall not be entered without their consent, nor shall their goods be seized, nor their persons touched; and if English people are wronged or ill-treated by the people of Nyanibantang, the Chief of Nyanibantang shall punish those who wrong or ill-treat English people.

VIII. But English people must not break the laws of the Nyanibantang country; and when they are accused of breaking the laws, the Chief shall send a true account of the matter to the nearest place where there is an English force, and the commander of such English force shall send for the English person, who shall be tried according to English law, and shall be punished if found guilty.

IX. If the Nyanibantang people should take away the property of an English person, the Chief of Nyanibantang shall do all he can to make the Nyanibantang people restore the property and pay the debt; and if English persons should take away the property of the Nyanibantang people, or should not pay their just debts to the Nyanibantang people, the Chief shall make known the fact to the commander of the English force nearest to the Nyanibantang country, or to the resident agent, if there is one; and the English commander or the agent, whichever it may be, shall do all he can to make the English persons restore the property and pay the debt.

X. The Queen of England may appoint an agent to visit Nyanibantang, or to reside there in order to watch over the interests of the English people, and to see that this agreement is fulfilled; and such agent shall always receive honour and protection in the Nyanibantang country; and the Nyanibantang Chief shall pay attention to what the agent says, and the person and property of the agent shall be sacred.

XI. The Chief of Nyanibantang shall, within 48 hours of the date of this agreement, make a law for carrying the whole of it into

effect, and shall proclaim that law, and the Chief of Nyanibantang shall put that law in force from that time for ever.

XII. The Queen of England, out of friendship for the Chief of Nyanibantang, and because the Chief of Nyanibantang has made this agreement, gives him the following articles, which the said Chief of Nyanibantang hereby acknowledges to have received, viz. :

15 muskets; 200 pounds of gunpowder; 10 pieces of blue bafts; 11 gallons of rum; 20 pounds of tobacco; 1 yard of scarlet cloth; 1 large loaf of sugar; $\frac{1}{2}$ lb. of amber, No. 2; and 250 flints.

XIII. The acting Governor and the Chief of Nyanibantang hereby agree, that the foregoing agreement shall be subject to the sanction and ratification of Her Majesty the Queen of England.

And so we the said Acting-Governor and the Chief of Nyanibantang have made and signed this agreement at MacCarthy's Island, this 31st day of December, 1842; and it shall stand for ever, subject to the sanction and ratification of Her Majesty the Queen of England, as aforesaid.

T. L. INGRAM, *Acting-Governor, for Her Majesty the Queen.* SANDEBAR, *Chief of Nyanibantang.*

Witnesses :

P. J. MACDONALD, <i>Lieutenant, 3rd W. I. Regiment.</i>	ABDOO SALLAM.
SIMON PIGNARD, <i>Manager, Liberated A.D., I.P.</i>	WALLY COTTO SIRA.
	KEMESS SOO TAMBA.
	WALLY COTTO TAMAH.
	BABA LONG, <i>Head Maraboo of Sandebar.</i>

(16.)—TREATY with the Chief of Chacoonda.—Signed off Foula Tenda, January 6, 1843.

AGREEMENT entered into by Acting-Governor Ingram, on the part of Her Majesty the Queen of Great Britain, and Souma Minejan, Chief of Chacoonda.

OBJECT.

THERE shall be peace and friendship between the people of England and the people of Chacoonda, and the Slave Trade shall be put down for ever in Chacoonda, and the people of England and the people of Chacoonda shall trade together innocently, justly, kindly, and usefully; and the said Acting-Governor, for the Queen of England, and the said Souma Minejan, for himself and the people of Chacoonda, do make the following Agreement for these purposes:

TERMS.

I. No white Christian persons shall be made slaves in the Chacoonda country, or in any case; and if any white Christians are now slaves in the Chacoonda country, or shall be brought into it as

slaves, they shall instantly be set free by the Chief of Chacoonda, and he shall assist them to return to their own country.

II. No persons of any colour, or wherever born, shall be taken out of the Chacoonda country as slaves; and no person in the Chacoonda country shall in any way be concerned in seizing, keeping, carrying, or sending away persons for the purpose of their being taken out of the Chacoonda country as slaves. And the Chief of Chacoonda shall punish severely all those who break this law.

III. The officers of the Queen of England may seize every vessel or boat of Chacoonda found anywhere carrying on the trade in slaves, and may also seize every vessel or boat of other nations found carrying on the trade in slaves in the waters belonging to the Chief of Chacoonda; and the vessels and boats so seized shall be taken to an English possession to be tried by English law; and when condemned shall be sold, and the produce of the sale shall be divided equally between the Queen of England and the Chief of Chacoonda, and the slaves who were found on board shall be made free.

IV. English people may freely come into the Chacoonda country, and may stay in it, or pass through it; and they shall be treated as friends while in it, and shall receive every supply they need there; they may freely practise the Christian religion there, and shall not be harmed nor troubled on that account; and they may leave the country when they please.

V. English people may always trade freely with the people of Chacoonda in every article which they may wish to buy or sell; and neither the English people nor the people of Chacoonda shall ever be forced to buy or to sell any article, nor shall they be prevented from buying or selling any article; and the Chief of Chacoonda agrees to allow the goods of English merchants to enter his territory free of duty, as long as the English shall receive the produce of his country free of duty.

VI. The paths shall be kept open through the Chacoonda country to other countries, so that English traders may carry goods of all kinds through the Chacoonda country to sell them elsewhere; and the traders of other countries may bring their goods through the Chacoonda country to trade with the English people.

VII. English people may buy and sell, or hire lands and houses in the Chacoonda country; and their houses shall not be entered without their consent, nor shall their goods be seized, nor their persons touched; and if English people are wronged or ill-treated by the people of Chacoonda, the Chief of Chacoonda shall punish those who wrong or ill-treat the English people.

VIII. But English people must not break the laws of the Chacoonda country; and when they are accused of breaking the laws, the Chief shall send a true account of the matter to the nearest

place where there is an English force, and the Commander of such English force shall send for the English person, who shall be tried according to English law, and shall be punished if found guilty.

IX. If the Chacoonda people should take away any property of an English person, the Chief of Chacoonda shall do all he can to make the people restore the property and pay the debt; and if English persons should take away the property of the Chacoonda people, or should not pay their just debts to the Chacoonda people, the Chief shall make known the fact to the Commander of the English force nearest to the Chacoonda country, or to the resident agent, if there is one; and the English Commander, or the agent, whichever it may be, shall do all he can to make the English persons restore the property and pay the debt.

X. The Queen of England may appoint an agent to visit Chacoonda, or to reside there, in order to watch over the interests of the English people, and to see that this Agreement is fulfilled; and such agent shall always receive honour and protection in the Chacoonda country; and the Chacoonda Chief shall pay attention to what the agent says, and the person and property of the agent shall be sacred.

XI. The Chief of Chacoonda shall, within 48 hours from the date of this Agreement, make a law for carrying the whole of it into effect, and shall proclaim that law, and the Chief of Chacoonda shall put that law in force from that time for ever.

XII. The Queen of England, out of friendship for the Chief of Chacoonda, and because the Chief of Chacoonda has made this Agreement, gives him the following articles, which the said Chief of Chacoonda hereby acknowledges to have received, viz.:

Two casks of gunpowder (50 pounds); 2 jars of rum (14 gallons); 2 muskets; 20 pounds of tobacco.

XIII. The Acting-Governor and the Chief of Chacoonda hereby agree that the foregoing Agreement shall be subjected to the sanction and ratification of Her Majesty the Queen of England.

And so we, the said Acting-Governor and Chief of Chacoonda, have made and signed this Agreement, on board the cutter *Emma*, off Foola Tenda, in the upper portion of the River Gambia, this 6th day of January, 1843; and it shall stand for ever, subject to the sanction of Her Majesty the Queen of England as aforesaid.

T. S. INGRAM, <i>Acting-Governor, on behalf of Her Majesty the Queen.</i>	SOUMA MINEJAN MASSE- RAY, <i>Alcade of Bankobat.</i> TOMBO SENEYAH, <i>Alcade of</i> <i>Foola Tenda.</i>
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Witnesses:

THS. CHOWN.	WILLIAM FOX.	C. F. SITMAN.
SIMON PIGNARD, <i>Manager, Liberated A.D., I.P.</i>		

(17.)—TREATY with the *Chief of Corro*.—Signed off *Banna Tenda*, January 9, 1843.

AGREEMENT entered into by Acting-Governor Ingram on the part of Her Majesty the Queen of Great Britain, and Mamadoo Wally, Chief of Corro.

OBJECT.

THERE shall be peace and friendship between the people of England and the people of Corro, and the Slave Trade shall be put down for ever in Corro, and the people of England and the people of Corro shall trade together innocently, justly, kindly, and usefully; and the said Acting-Governor, for the Queen of England, and the said Mamadoo Wally, for himself and the people of Corro, do make the following Agreement for these purposes :

TERMS.

I. No white Christian persons shall be made slaves in the Corro country, or in any case; and if any white Christians are now slaves in the Corro country, or shall be brought into it as slaves, they shall instantly be set free by the Chief of Corro, and he shall assist them to return to their own country.

II. No persons of any colour, or wherever born, shall be taken out of the Corro country as slaves; and no person in the Corro country shall in any way be concerned in seizing, keeping, carrying, or sending away persons for the purpose of their being taken out of the Corro country as slaves. And the Chief of Corro shall punish severely all those who break this law.

III. The officers of the Queen of England may seize every vessel or boat of Corro found anywhere carrying on the trade in slaves, and may also seize every vessel or boat of other nations found carrying on the trade in slaves in the waters of Corro; and the vessels and boats so seized shall be taken to an English possession to be tried by English law; and when condemned, shall be sold, and the produce of the sale shall be divided equally between the Queen of England and the Chief of Corro, and the slaves who were found on board shall be made free.

IV. English people may freely come into the Corro country, and may stay in it, or pass through it, and they shall be treated as friends while in it, and shall receive every supply they need there; they may freely practise the Christian religion there, and shall not be harmed nor troubled on that account; and they may leave the country when they please.

V. English people may always trade freely with the people of Corro in every article which they may wish to buy or sell; and neither the English people nor the people of Corro shall ever be forced to buy or sell any article, nor shall they be prevented from

buying or selling any article; and the Chief of Corro agrees to allow the goods of English merchants to enter his territory free of duty, as long as the English shall receive the produce of his country free of duty.

VI. The paths shall be kept open through the Corro country to other countries, so that English traders may carry goods of all kinds through the Corro country to sell them elsewhere; and the traders of other countries may bring their goods through the Corro country to trade with the English people.

VII. English people may buy and sell, or hire lands and houses, in the Corro country; and their houses shall not be entered without their consent, nor shall their goods be seized, nor their persons touched; and if English people are wronged or ill-treated by the people of Corro, the Chief of Corro shall punish those who wrong or ill-treat the English people.

VIII. But English people must not break the laws of the Corro country; and when they are accused of breaking the laws, the Chief shall send a true account of the matter to the nearest place where there is an English force; and the Commander of such English force shall send for the English person, who shall be tried according to English law, and shall be punished if found guilty.

IX. If the Corro people should take away the property of an English person, the Chief of Corro shall do all he can to make the people restore the property and pay the debt; and if English persons should take away the property of the Corro people, or should not pay their just debts to the Corro people, the Chief shall make known the fact to the Commander of the English force nearest to the Corro country, or to the resident agent, if there is one; and the English Commander or the agent, whichever it may be, shall do all he can to make the English persons restore the property and pay the debt.

X. The Queen of England may appoint an agent to visit Corro, or to reside there, in order to watch over the interests of the English people, and to see that this Agreement is fulfilled; and such agent shall always receive honour and protection in the Corro country; and the Corro Chief shall pay attention to what the agent says, and the person and property of the agent shall be sacred.

XI. The Chief of Corro shall, within 48 hours from the date of this Agreement, make a law for carrying the whole of it into effect, and shall proclaim that law, and the Chief of Corro shall put that law in force from that time for ever.

XII. The Queen of England, out of friendship for the Chief of Corro, and because the Chief of Corro has made this Agreement, gives him the following articles, which the said Chief of Corro hereby acknowledges to have received, viz.:

One tower musket; 3 casks of gunpowder (75 pounds); 2 jars of rum (15 gallons); 3 pieces of blue bafts; 30 pounds of tobacco.

XIII. The Acting-Governor and the Chief of Corro hereby agree, that the foregoing Agreement shall be subject to the sanction and ratification of Her Majesty the Queen of England.

And so we, the said Acting-Governor and the Chief of Corro, have made and signed this Agreement, on board the cutter *Emma*, off Banna Tenda in the River Gambia, this 9th day of January, 1843; and it shall stand for ever, subject to the sanction of Her Majesty the Queen of England, as aforesaid.

T. L. INGRAM, *Acting-Governor, on behalf of Her Majesty the Queen of England.* MAMADOO WALLY, *Chief of Corro.*

Witnesses:

THS. CHOWN.

FARRING COTTO.

SIMON PIGNARD, *Manager, Liberated A.D., I.P.*

FALEY JOBARTAY.

(18.)—TREATY *with the King of Woolli.*—Signed at Medina, January 13, 1843.

AGREEMENT entered into by Acting-Governor Ingram, on the part of Her Majesty the Queen of Great Britain, and Sanoo Coy, King of Woolli.

OBJECT.

THERE shall be peace and friendship between the people of England and the people of Woolli, and the Slave Trade shall be put down for ever in Woolli, and the people of England and the people of Woolli shall trade together innocently, justly, kindly, and usefully; and the said Acting-Governor, for the Queen of England, and the said Sanoo Coy, for himself and the people of Woolli, do make the following Agreement for these purposes.

TERMS.

I. No white Christian persons shall be made slaves in the Woolli country, or in any case; and if any white Christians are now slaves in the Woolli country, or shall be brought into it as slaves, they shall instantly be set free by the King of Woolli, and he shall assist them to return to their own country.

II. No persons of any colour, or wherever born, shall be taken out of the Woolli country as slaves, and no person in the Woolli country shall in any way be concerned in seizing, keeping, carrying, or sending away persons for the purpose of their being taken out of the Woolli country as slaves. And the King of Woolli shall punish severely all those who break this law.

III. The officers of the Queen of England may seize every vessel

or boat of Woolli found anywhere carrying on the trade in slaves, and may also seize every vessel or boat of other nations found carrying on the trade in slaves in the waters of Woolli, and the vessels and boats so seized shall be taken to an English possession to be tried by English law; and when condemned shall be sold, and the produce of the sale shall be divided equally between the Queen of England and the King of Woolli, and the slaves who were found on board shall be made free.

IV. English people may freely come into the Woolli country, and may stay in it, or pass through it, and they shall be treated as friends while in it, and shall receive every supply they need there; they may freely practise the Christian religion there, and shall not be harmed on that account, and they may leave the country when they please.

V. English people may always trade freely with the people of Woolli in every article which they may wish to buy or sell; and neither the English people nor the people of Woolli shall ever be forced to buy or sell any article, nor shall they be prevented from buying or selling any article, and the King of Woolli agrees to allow the goods of English merchants to enter his territory free of duty, as long as the English shall receive the produce of his country free of duty.

VI. The paths shall be kept open through the Woolli country to other countries, so that English traders may carry goods of all kinds through the Woolli country to sell them elsewhere; and the traders of other countries may bring their goods through the Woolli country to trade with the English people.

VII. English people may buy and sell, or hire lands and houses in the Woolli country; and their houses shall not be entered without their consent, nor shall their goods be seized nor their persons touched; and if English people are wronged or ill-treated by the people of Woolli, the King of Woolli shall punish those who wrong or ill-treat the English people.

VIII. But English people must not break the laws of the Woolli country; and when they are accused of breaking the laws, the King shall send a true account of the matter to the nearest place where there is an English force; and the Commander of such English force shall send for the English person, who shall be tried according to English law, and shall be punished if found guilty.

IX. If the Woolli people should take away the property of an English person, the King of Woolli shall do all he can to make the people restore the property and pay the debt; and if English persons should take away the property of the Woolli people, or should not pay their just debts to the Woolli people, the King shall make known the fact to the Commander of the English force nearest to

the Woolli country, or to the resident agent, if there is one; and the English Commander or the agent, whichever it may be, shall do all he can to make the English persons restore the property and pay the debt.

X. The Queen of England may appoint an agent to visit Woolli, or to reside there, in order to watch over the interests of the people, and to see that this Agreement is fulfilled; and such agent shall always receive honour and protection in the Woolli country, and the King of Woolli shall pay attention to what the agent says, and the person and property of the agent shall be sacred.

XI. The King of Woolli shall, within 48 hours from the date of this Agreement, make a law for carrying the whole of it into effect, and shall proclaim that law; and the King of Woolli shall put that law in force from that time for ever.

XII. The Queen of England, out of friendship for the King of Woolli, and because the King of Woolli has made this Agreement, gives him the following articles, which the said King of Woolli hereby acknowledges to have received, viz.:

Twenty gallons of rum; 4 muskets; 3 half-barrels of gunpower: 25 pounds of tobacco; 1 pound of amber, No. 1.

XIII. The Acting-Governor and the King of Woolli hereby agree, that the foregoing Agreement shall be subject to the sanction and ratification of Her Majesty the Queen of England.

And so we, the said Acting-Governor and the King of Woolli, have made and signed this Agreement at Medina, in the Kingdom of Woolli, this 13th day of January, 1843; and it shall stand for ever, subject to the sanction of Her Majesty the Queen of England, as aforesaid.

T. L. INGRAM, *Acting-Governor, on behalf of Her Majesty the Queen of England.* SANOO COY, *King of Woolli.*

Witnesses:

THS. CHOWN.

WILLIAM FOX.

SIMON PIGNARD.

(19.)—TREATY with the Chief of Cantalicunda.—Signed at Cantalicunda, January 18, 1843.

AGREEMENT entered into by Acting-Governor Ingram, on the part of Her Majesty the Queen of Great Britain, and Cantaliba, Chief of Cantalicunda.

OBJECT.

THERE shall be peace and friendship between the people of England and the people of Cantalicunda, and the Slave Trade shall be put down for ever in Cantalicunda; and the people of England and the people of Cantalicunda shall trade together innocently, justly, kindly, and usefully; and the said Acting-Governor, for the

Queen of England, and the said Cantaliba, for himself and the people of Cantalicunda, do make the following agreement for these purposes :

TERMS.

I. No white Christian persons shall be made slaves in the Cantalicunda country, or in any case; and if any white Christians are now slaves in the Cantalicunda country, or shall be brought into it as slaves, they shall instantly be set free by the Chief of Cantalicunda, and he shall assist them to return to their own country.

II. No persons of any colour, or wherever born, shall be taken out of the Cantalicunda country as slaves; and no person in the Cantalicunda country shall be in any way concerned in seizing, keeping, carrying, or sending away persons for the purpose of their being taken out of the Cantalicunda country as slaves. And the Chief of Cantalicunda shall punish severely all those who break this law.

III. The officers of the Queen of England may seize every vessel or boat of Cantalicunda found anywhere carrying on the trade in slaves, and may also seize every vessel or boat of other nations found carrying on the trade in slaves in the waters belonging to the Chief of Cantalicunda; and the vessels and boats so seized shall be taken to an English possession, to be tried by English law; and when condemned, shall be sold, and the produce of the sale shall be divided equally between the Queen of England and the Chief of Cantalicunda, and the slaves who were found on board shall be made free.

IV. English people may freely come into the Cantalicunda country, and may stay in it or pass through it; and they shall be treated as friends while in it; and shall receive every supply they need there; they may freely practise the Christian religion there, and shall not be harmed nor troubled on that account; and they may leave the country when they please.

V. English people may always trade freely with the people of Cantalicunda in every article which they may wish to buy or sell; and neither the English people nor the people of Cantalicunda shall ever be forced to buy or sell any article, nor shall they be prevented from buying or selling any article; and the Chief of Cantalicunda agrees to allow the goods of English merchants to enter his territory free of duty, as long as the English shall receive the produce of his country free of duty.

VI. The paths shall be kept open through the Cantalicunda country to other countries, so that English traders may carry goods of all kinds through the Cantalicunda country to sell them else-

where; and the traders of other countries may bring their goods through the Cantalicunda country to trade with the English people.

VII. English people may buy and sell, or hire lands and houses, in the Cantalicunda country; and their houses shall not be entered without their consent, nor shall their goods be seized, nor their persons touched; and if English people are wronged or ill-treated by the people of Cantalicunda, the Chief of Cantalicunda shall punish those who wrong or ill-treat the English people.

VIII. But English people must not break the laws of the Cantalicunda country; and when they are accused of breaking the laws the Chief shall send a true account of the matter to the nearest place where there is an English force; and the commander of such English force shall send for the English person, who shall be tried according to English law, and shall be punished if found guilty.

IX. If the Cantalicunda people should take away the property of an English person, the Chief of Cantalicunda shall do all he can to make the people restore the property and pay the debt; and if English persons should take away the property of the Cantalicunda people, or should not pay their just debts to the Cantalicunda people, the Chief shall make known the fact to the commander of the English force nearest to the Cantalicunda country, or to the resident agent, if there is one; and the English commander, or the agent, whichever it may be, shall do all he can to make the English persons restore the property and pay the debt.

X. The Queen of England may appoint an agent to visit Cantalicunda, or to reside there, in order to watch over the interests of the English people, and to see that this agreement is fulfilled; and such agent shall always receive honour and protection in the Cantalicunda country; and the Cantalicunda Chief shall pay attention to what the agent says, and the person and property of the agent shall be sacred.

XI. The Chief of Cantalicunda shall, within 48 hours from the date of this agreement, make a law for carrying the whole of it into effect, and shall proclaim that law, and the Chief of Cantalicunda shall put that law in force from that time for ever.

XII. The Queen of England, out of friendship for the Chief of Cantalicunda, and because the Chief of Cantalicunda has made this agreement, gives him the following articles, which the said Chief of Cantalicunda hereby acknowledges to have received, viz.:

2 casks of gunpowder (50 pounds); 2 jars of rum (14 gallons); 2 muskets.

XIII. The Acting-Governor and the Chief of Cantalicunda hereby agree, that the foregoing agreement shall be subject to the sanction and ratification of Her Majesty the Queen of England.

And so we, the said Acting Governor and the Chief of Canta-

licunda, have made and signed this agreement at Cantalicunda, River Gambia, this 18th day of January, 1843; and it shall stand for ever, subject to the sanction of Her Majesty the Queen of England as aforesaid.

T. L. INGRAM, *Acting-Governor, on behalf of Her Majesty the Queen of England.* CANTALIBA, *Chief of Cantalicunda.*

Witnesses:—T. EIMSON.

T. PIGNARD.

(20.)—TREATY *with the Chief of Dobacoonda.*—Signed at MacCarthy's Island, January 21, 1843.

AGREEMENT entered into by Acting Governor Ingram, on the part of Her Majesty the Queen of Great Britain, and Jaynou Sanoo, Chief of Dobacoonda.

OBJECT.

THERE shall be peace and friendship between the people of England and the people of Dobacoonda, and the Slave Trade shall be put down for ever in Dobacoonda; and the people of England and the people of Dobacoonda shall trade together innocently, justly, kindly, and usefully; and the said Acting-Governor, for the Queen of England, and the said Jaynou Sanoo, for himself and the people of Dobacoonda, do make the following agreement for these purposes:

TERMS.

I. No white Christian persons shall be made slaves in the Dobacoonda country, or in any case; and if any white Christians are now slaves in the Dobacoonda country, or shall be brought into it as slaves, they shall instantly be set free by the Chief of Dobacoonda, and he shall assist them to return to their own country.

II. No persons of any colour, or wherever born, shall be taken out of the Dobacoonda country as slaves; and no person in the Dobacoonda country shall in any way be concerned in seizing, keeping, carrying, or sending away persons, for the purpose of their being taken out of the Dobacoonda country as slaves. And the Chief of Dobacoonda shall punish severely all those who break this law.

III. The officers of the Queen of England may seize every vessel or boat of Dobacoonda found anywhere carrying on the trade in slaves, and may also seize every vessel or boat of other nations found carrying on the trade in slaves in the waters of Dobacoonda; and the vessels and boats so seized shall be taken to an English possession to be tried by English law; and when condemned shall be sold, and the produce of the sale shall be divided equally between

the Queen of England and the Chief of Dobacoonda, and the slaves who were found on board shall be made free.

IV. English people may freely come into the Dobacoonda country, and may stay in it, or pass through it, and they shall be treated as friends while in it; and shall receive every supply they need there; they may freely practise the Christian religion there, and shall not be harmed nor troubled on that account; and they may leave the country when they please.

V. English people may also trade freely with the people of Dobacoonda in every article which they may wish to buy or sell; and neither the English nor the people of Dobacoonda shall ever be forced to buy or sell any article, nor shall they be prevented from buying or selling any article; and the Chief of Dobacoonda agrees to allow the goods of English merchants to enter his territory free of duty, as long as the English shall receive the produce of his country free of duty.

VI. The paths shall be kept open through the Dobacoonda country to other countries, so that English traders may carry goods of all kinds through the Dobacoonda country to sell them elsewhere; and the traders of other countries may bring their goods through the Dobacoonda country to trade with the English people.

VII. English people may buy and sell, or hire lands and houses in the Dobacoonda country, and their houses shall not be entered without their consent, nor shall their goods be seized, nor their persons touched; and if English people are wronged or ill-treated by the people of Dobacoonda, the Chief of Dobacoonda shall punish those who wrong or ill-treat the English people.

VIII. But English people must not break the laws of the Dobacoonda country; and when they are accused of breaking the laws the Chief shall send a true account of the matter to the nearest place where there is an English force; and the commander of such English force shall send for the English person, who shall be tried according to English law, and shall be punished if found guilty.

IX. If the Dobacoonda people should take away the property of an English person, the Chief of Dobacoonda shall do all he can to make the people restore the property and pay the debt; and if English persons should take away the property of the Dobacoonda people, the Chief shall make known the fact to the commander of the English force nearest to the Dobacoonda country, or to the resident agent, if there is one; and the English commander or the agent, whichever it may be, shall do all he can to make the English persons restore the property and pay the debt.

X. The Queen of England may appoint an agent to visit Dobacoonda, or to reside there, in order to watch over the interests of the English people, and to see that this agreement is fulfilled;

and such agent shall always receive honour and protection in the Dobacoonda country; and the Dobacoonda Chief shall pay attention to what the agent says, and the person and property of the agent shall be sacred.

XI. The Chief of Dobacoonda shall, within 48 hours from the date of this agreement, make a law for carrying the whole of it into effect, and shall proclaim that law, and the Chief of Dobacoonda shall put that law in force from that time for ever.


XII. The Queen of England, out of friendship for the Chief of Dobacoonda, and because the Chief of Dobacoonda has made this agreement, gives him the following articles, which the said Chief of Dobacoonda hereby acknowledges to have received, viz.:

2 jars of rum (15 gallons); 2 kegs of gunpowder (25 pounds); 2 muskets; 30 pounds of tobacco.

XIII. The Acting-Governor and the Chief of Dobacoonda hereby agree, that the foregoing agreement shall be subject to the sanction and ratification of Her Majesty the Queen of England.

And so we the said Acting-Governor and the Chief of Dobacoonda have made and signed this agreement, at MacCarthy's Island, this 21st day of January, 1843; and it shall stand for ever, subject to the sanction of Her Majesty the Queen of England aforesaid.

T. L. INGRAM, *Acting-Governor, on behalf of Her Majesty the Queen.*

JAYNOU SANOO, ^{his}  mark.

Witnesses:

P. J. MACDONALD, *Commander of MacCarthy's Island.*

P. SALLAH.

(21.)—TREATY *with the Chiefs of Samo and Moricaryah.*—Signed at Kontaigh, May 20, 1845.

TREATY between Wilkins George Terry, Esq., Doctor John William Johnston, of the 1st West India Regiment, and Charles Heddle, Esq., Commissioners on the part of his Excellency William Fergusson, Lieutenant-Governor of the Colony of Sierra Leone and its Dependencies, for and on behalf of Her Most Gracious Majesty Victoria by the Grace of God of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, &c., and Bey Sherbro,* Chief of the Samo Country, and Morie Bokery, Chief of Moricaryah.

ART. I. There shall be peace and friendship between the subjects of the Queen of England and the people, subjects to Bey Sherbro, of the Samo country, and Morie Bokery, Chief of Moricaryah aforesaid.

* King of the North Bulloms.

II. The Chiefs aforesaid shall permit the ministers of the Christian religion to reside within their territories, and shall permit them to exercise their calling; and they, the Chiefs aforesaid, do hereby guarantee to them the fullest protection.

III. The lives and properties of liberated Africans, and all other subjects of the Queen of England, shall be inviolate.

IV. The Chiefs aforesaid promise and engage to abolish the Slave Trade, and not to allow any exportation of slaves from their respective countries; nor to allow any vessels, crafts, boats, or canoes, to enter into any of their rivers, creeks, bays, or waters, for the purpose of buying or selling slaves, or being in any manner engaged in the Slave Trade; nor to allow factories or other establishments to be formed in their territories by any persons whatever, for the purchasing or selling slaves.

V. No country law, custom, or purrah, is to be put in force against any subject of the Queen of England, on any pretence whatever; nor are any of the Queen's subjects to break through any country law or custom, nor commit any illegal act within the territories, or upon any of the subjects of the Chiefs aforesaid, parties to this Treaty.

VI. The Chiefs aforesaid do hereby recognize and acknowledge the rights which the subjects of the Queen of England have heretofore and at all times enjoyed, of free and unrestricted intercourse for trade and commerce, and for all other legitimate purposes, in and throughout the countries adjacent to and bordering on the Mellacourie River; and the Chiefs aforesaid do hereby on their parts confirm, guarantee, and assure to the subjects of the Queen of England this right of free and unrestricted intercourse, so far as their own territories extend; and also that the subjects of Her said Majesty shall be allowed to remain in peaceable possession of the lands and houses which they purchased or hired in the country and territories of the said Chiefs; and that the subjects of Her said Majesty, as heretofore, may sell, buy, or hire lands or houses in the country, and that those lands or houses shall not be entered upon or into without their consent; nor shall their goods be seized, nor their persons touched. And if English people are wronged or ill-treated by the subjects or people of the said Chiefs, they, the said Chiefs, shall punish those who wrong or ill-treat the English people.

VII. The canoes and boats of the people or subjects of the Chiefs, parties to this Treaty, and the produce of their respective territories, are to be placed on the same footing as the boats and canoes of the colony.

VIII. All disputes which may arise between any of the inhabitants of the colony of Sierra Leone and the subjects or people of

either of the said Chiefs, shall be referred to the Governor of Sierra Leone for the time being.

IX. The Chiefs parties to this Treaty shall not enter into wars, or commit any acts of aggression either on each other or on any neighbouring Chiefs, by which the peace of the country shall be disturbed, the trade between their countries and the colony of Sierra Leone interrupted, and the safety of the property and persons of the Queen of England's subjects compromised.

X. The subjects of the Queen of England are hereby strictly prohibited from engaging, either directly or indirectly, in any war or quarrel which may break out amongst the Chiefs parties to this Treaty, or their subjects or people; and they are strictly prohibited from aiding or assisting them in the prosecution of any such war or quarrel, by furnishing them either with powder or muskets, or with any other description of warlike stores whatever.

XI. The paths shall be kept open through the Moricaryah and Samo countries to other countries, so that English traders may carry goods of all kinds through the aforesaid Moricaryah and Samo countries, to sell them elsewhere; and the traders of other countries may bring their goods through the aforesaid countries, to trade with the English people freely and unmolested.

XII. The Queen of England may appoint an agent to visit the countries subject to the said Chiefs, or to reside there, in order to watch over the interests of the English people, and to see that this Agreement is fulfilled; and such agent shall always receive honour and protection in the countries of the aforesaid respective Chiefs; and the said Chiefs shall pay attention to what the said agent may advise; and the person and property of the agent shall be respected.

XIII. If the people of Moricaryah and Samo aforesaid should take away the property of any English person, or should not pay their just debts to any English person, the aforesaid Chiefs of the said countries shall do all they can to make the people restore the property and pay the debt; and if the English people should take away the property of the people of the said Chiefs, or should not pay their just debts to the people, the Chief shall make known the fact to the Governor of the colony, for the time being, or to the resident agent, if there be one; and the Governor of the said colony of Sierra Leone, or the agent, whichever it may be, shall do all he can to make the English persons restore the property, and pay their debts.

XIV. In proof of the value entertained by the said Chiefs of the countenance and support of the British Government, and of their earnest desire that they and their successors should always hereafter be considered as staunch allies to the Queen of England, and to the Government of the colony of Sierra Leone, the said Chiefs do

hereby guarantee, that any Treaty which the Chiefs, parties to this Treaty, may hereafter enter into with any other foreign Power or State, shall in no way interfere with or compromise the rights of free intercourse, recognized, acknowledged and confirmed in the 6th clause of this Treaty, and the privileges hereby secured to the subjects of the Queen of England, and to the inhabitants of the colony of Sierra Leone: and any additional privileges, commercial or otherwise, which may by such Treaties be granted to such foreign Power, shall be also considered as granted to the subjects of the Queen of England.

XV. In consideration of the foregoing stipulations of this Treaty being agreed upon and strictly adhered to on the part of the Chiefs aforesaid, parties thereto, and of their successors, his Excellency William Fergusson, Lieutenant-Governor of the colony of Sierra Leone, hereby agrees for himself and successors, on the part of Her Majesty the Queen of England, to pay, or cause to be paid, annually to each of the said Chiefs and their successors, the customs hereinafter set forth, viz.:

To Bey Sherbro the sum of 200 bars, and to the Chief, Morie Bokery, *alias* Boobo Tumbo, the sum of 100 bars.

The above bars to be computed according to the scale set forth in the schedule hereunto annexed.

XVI. The said Chiefs, parties hereto, shall, in 48 hours after the ratification of this Treaty, proceed to proclaim the same throughout their respective territories, and carry it into effect as a law.

Done at Kontaigh, in the territory of the aforesaid Chiefs, Bey Sherbro and Morie Bokery, this 20th day of May, in the year of our Lord 1845, and of Her Majesty's reign the 8th.

BEY SHERBRO.

WILKINS GEORGE TERRY.

MORIE BOKERY, *alias* JOHN WILLIAM JOHN-
BOOBO TUMBO. STON, M.D.

CHARLES HEDDLE.

Schedule.—Scale for 200 Bars.

Four pieces blue baft, 40 bars; 4 ditto white baft, 40; 4 ditto satin stripe, 48; tobacco, 50; rum, 10 gallons in two jars, 22.

Scale for 100 Bars.

Two pieces blue baft, 20 bars; 2 ditto white baft, 20; 2 ditto satin stripe, 24; tobacco, 25; rum, 5 gallons and jar, 11.

(22.)—TREATY with the Chief of Malaghea.—Signed at Malaghea, May 23, 1845.

TREATY between Wilkins George Terry, Esq., Doctor John William Johnston, of the 1st West India Regiment, and Charles Heddle,

Esq., Commissioners on the part of his Excellency William Fergusson, Lieutenant-Governor of the Colony of Sierra Leone and its Dependencies, for and on behalf of Her Most Gracious Majesty Victoria, by the Grace of God of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, &c., and Mori Lahai, Chief of Malaghea.

ART. I. There shall be peace and friendship between the subjects of the Queen of England and the people, subjects of the said Chief, Mori Lahai.

II. The lives and property of liberated Africans, and all others subjects of the Queen of England, shall be inviolate.

III. The Chief aforesaid promises to abolish the Slave Trade, and not to allow any exportation of slaves from his country; nor to allow any vessels, crafts, boats, or canoes, to enter into any of the rivers, creeks, bays, or waters of his territories, for the purpose of buying or selling slaves, or being in any manner engaged in the Slave Trade; nor to allow factories or establishments to be formed in his territory by any persons whatsoever, for the purpose of purchasing or selling slaves.

IV. No country law, custom, or purrah, is to be put in force against any subject of the Queen of England, on any pretence whatever; nor are any of the Queen's subjects to break through any country law or custom, nor commit any illegal act within the territory, or upon any of the subjects of the aforesaid Chief of Malaghea.

V. The Chief aforesaid does hereby recognize and acknowledge the rights which the subjects of the Queen of England have heretofore and at all times enjoyed, of free and unrestricted intercourse for trade and commerce, and for all other legitimate purposes, in and throughout the countries adjacent to and bordering on the Mellacourie River and its branches; and the Chief aforesaid does hereby, on his own part, confirm, guarantee, and assure, to the subjects of the Queen of England, this right of free and unrestricted intercourse, so far as his own territory extends; and further engages that the subjects of Her said Majesty shall be allowed to remain in peaceable possession of the lands and houses, or factories, which they have purchased or hired in the country or territory of the said Chief; and that the subjects of Her said Majesty, as heretofore, may sell, buy, or hire lands or houses in his country, and that those lands or houses shall not be entered in or upon, without the consent or permission of the person or persons by whom they have been so hired or purchased; nor shall the goods of the Queen's subjects be seized, nor their persons harmed; and if English people are wronged or ill-treated by the subjects of the said Chief, he shall punish those who wrong or ill-treat the English people.

VI. The canoes and boats of the subjects of the aforesaid Chief, and the produce of his territories, are to be placed on the same footing as the boats, canoes, and produce of the colony of Sierra Leone. And all disputes which may arise between any of the inhabitants of the colony of Sierra Leone or other subjects of the Queen of England, and the subjects or people of the said Chief, shall be referred to the Governor of Sierra Leone for the time being.

VII. The aforesaid Chief engages not to enter into any war, or commit any acts of aggression on any of the neighbouring Chiefs, by which the trade of the country with the colony of Sierra Leone shall be interrupted, and the safety of the persons and property of the Queen of England's subjects compromised or endangered.

VIII. The subjects of the Queen of England are hereby strictly prohibited from engaging, either directly or indirectly, in any war or quarrel which may break out between the said Chief and any other Chiefs, or in any dispute which may arise between him and his people or subjects; and they are strictly prohibited from aiding or assisting in the prosecution of any such war or quarrel, by furnishing them either with powder or muskets, or with any other description of warlike stores whatever.

IX. The paths shall be kept open through the Malaghea country to other countries, so that English traders may carry goods through the said country, to sell them elsewhere; and the traders of other countries may bring their goods or produce through the said country, to trade with the English people, freely and without molestation.

X. The Queen of England may appoint an agent to visit the country subject to the said Chief, or to reside there, in order to watch over the interests of English people; and such agent shall always receive honour and protection from the aforesaid Chief, and his person and property shall be protected.

XI. If the people or subjects of the said Chief should take away the property of any English person, or should not pay their just debts to any English person, the aforesaid Chief engages to do all he can to make the people restore the property so taken away, and pay their debts; and if English people should take away the property of the people or subjects of the said Chief, or should not pay any just debts due to the said people, the Chief shall make known the circumstances to the Governor of Sierra Leone for the time being, or to the resident agent, if there be one; and the Governor or agent shall do all in his power to make the English persons restore the property, and pay their debts.

XII. In proof of the value entertained by the said Chief, of the countenance and support of the British Government, and of his earnest desire that he and his successors should hereafter be considered as firm and staunch allies to the Queen of England and to

the Government of Sierra Leone, the said Chief does hereby guarantee, for himself and successors, that any Treaty or Agreement which he or they may hereafter enter into with any foreign Power or State, shall in no way interfere with or compromise the right of free intercourse recognized and acknowledged in the 5th clause of this Treaty, and the privileges hereby secured to the subjects of the Queen of England; and that any additional privileges or concessions which may by such Treaties or Agreements be granted or made to any foreign Power, shall be also considered as granted and made to the subjects of the Queen of England.

XIII. In consideration of the foregoing stipulations of this Treaty being agreed upon and strictly adhered to on the part of the Chief aforesaid, and of his successors, his Excellency William Fergusson, Lieutenant-Governor of the colony of Sierra Leone, agrees, for himself and successors, on the part of Her Majesty the Queen of England, to pay or cause to be paid annually, to the said Chief and his successors, the customs hereinafter mentioned and set forth, viz.: the sum of 300 bars.

The above bars to be computed by the scale of bars in the schedule hereunto annexed.

XIV. The said Chief shall, within 48 hours after the ratification of this Treaty, proceed to proclaim the same throughout his territories, and carry it into effect as a law.

Done at Malaghea, this 23rd day of May, in the year of our Lord 1845, and of Her Majesty's reign the 8th.

MORI LAHAI.

WILKINS GEORGE TERRY.

JOHN WILLIAM JOHN-
STON, M.D.

CHARLES HEDDLE.

Schedule.—Scale for 300 Bars.

6 pieces blue baft, 60 bars; 6 ditto white baft, 60; 6 ditto satin stripe, 72; 129 lbs. tobacco, 75; 15 gallons rum, in 3 jars, 33.

(23.)—TREATY *with the King of Fouricaria.—Signed at Fouricaria, May 28, 1845.*

TREATY between Wilkins George Terry, Esq., Doctor John William Johnston, of the 1st West India Regiment, and Charles Heddle, Esq., Commissioners on the part of his Excellency William Fergusson, Lieutenant-Governor of the Colony of Sierra Leone and its dependencies, for and on behalf of Her Most Gracious Majesty Victoria, by the Grace of God of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith,

&c., &c., and Alimami Ali, King and Chief of the Fouricaria country.

ART. I. There shall be peace and friendship between the subjects of the Queen of England and the people, subjects of the said King or Chief, Alimami Ali.

II. The aforesaid Chief shall permit the ministers of the Christian religion to reside within his territories and exercise their calling; and he hereby guarantees to them the fullest protection.

III. The lives and property of liberated Africans, and all others, subjects of the Queen of England, shall be inviolate.

IV. The Chief aforesaid promises to abolish the Slave Trade, and not to allow any exportation of slaves from his country; nor to allow any vessels, craft, boats or canoes, to enter into any of the rivers, creeks, bays, or waters of his territories, for the purpose of buying or selling slaves, or being in any manner engaged in the Slave Trade; nor to allow factories or other establishments to be formed in his territory by any persons whatsoever, for the purpose of purchasing or selling slaves.

V. No country law, custom, or purrah, is to be put in force against any subject of the Queen of England, on any pretence whatever; nor are any of the Queen's subjects to break through any country law or custom, nor commit any illegal act within the territory, or upon any of the subjects of the aforesaid King and Chief of the Fouricaria country.

VI. The Chief aforesaid does hereby recognize and acknowledge the rights which the subjects of the Queen of England have heretofore and at all times enjoyed, of free and unrestricted intercourse for trade and commerce, and for all other legitimate purposes in and throughout the countries adjacent to and bordering on the Fouricaria, Bereira, and Mellacourie Rivers, and their branches; and the Chief aforesaid does hereby on his own part confirm, guarantee and assure, to the subjects of the Queen of England, this right of free and unrestricted intercourse, so far as his own territory extends; and further engages that the subjects of her said Majesty shall be allowed to remain in peaceable possession of the lands and houses or factories which they have purchased or hired in the country or territory of the said Chief; and that the subjects of her said Majesty, as heretofore, may sell, buy, or hire lands or houses in his country, and that those lands or houses shall not be entered in or upon without the consent or permission of the person or persons by whom they have been so hired or purchased; nor shall the goods of the Queen's subjects be seized, nor their persons harmed. And if English people are wronged or ill-treated by the subjects of the said Chief, he shall punish those who wrong or ill-treat the English people.

VII. The canoes and boats of the subjects of the aforesaid Chief, and the produce of his territories, are to be placed on the same footing as the boats, canoes, and produce of the colony of Sierra Leone. And all disputes which may arise between any of the inhabitants of the colony of Sierra Leone or other subjects of the Queen of England, and the subjects or people of the said Chief, shall be referred to the Governor of Sierra Leone for the time being.

VIII. The aforesaid Chief engages not to enter into any war, or commit any acts of aggression on any of the neighbouring Chiefs, by which the trade of the country with the colony of Sierra Leone shall be interrupted, and the safety of the persons and property of the Queen of England's subjects compromised or endangered.

IX. The subjects of the Queen of England are hereby strictly prohibited from engaging, either directly or indirectly, in any war or quarrel which may break out between the said Chief and any other Chief, or in any dispute that may arise between him and his people or subjects; and they are strictly prohibited from aiding or assisting in the prosecution of any such war or quarrel, by furnishing them either with powder, or muskets, or with any other description of warlike stores whatever.

X. The paths shall be kept open through the Fouricaria country to other countries, so that English traders may carry goods through the said country, to sell them elsewhere; and the traders of other countries may bring their goods or produce through the said country, to trade with the English people freely and without molestation.

XI. The Queen of England may appoint an agent to visit the country subject to the said Chief, or to reside there, in order to watch over the interests of English people; and such agent shall always receive honour and protection from the said Chief, and his person and property shall be protected.

XII. If the people or subjects of the said Chief should take away the property of any English person, or should not pay their just debts to any English person, the aforesaid Chief engages to do all he can to make the people restore the property so taken away and pay their debts; and if English people should take away the property of the people or subjects of the said Chief, or should not pay any just debts due to the said people, the Chief shall make known the circumstances to the Governor of Sierra Leone for the time being, or to the resident agent (if there be one), and the Governor or agent shall do all in his power to make the English persons restore the property and pay their debts.

XIII. In proof of the value entertained by the said Chief of the countenance and support of the British Government, and of

his earnest desire that he and his successors should hereafter be considered as firm and staunch allies to the Queen of England and to the Government of the colony of Sierra Leone, the said Chief does hereby guarantee for himself and successors, that any Treaty or agreement, into which he or they may hereafter enter into with any foreign Power or State, shall in no way interfere with or compromise the right of free intercourse recognized and acknowledged in the 6th clause of this Treaty, and the privileges hereby secured to the subjects of the Queen of England; and that any additional privileges or concessions which may by such Treaties or agreements be granted or made to any foreign Power, shall also be considered as granted and made to the subjects of the Queen of England.

XIV. In consideration of the foregoing stipulations of this Treaty being agreed upon and strictly adhered to on the part of the Chief aforesaid, and of his successors, his Excellency William Fergusson, Lieutenant-Governor of the colony of Sierra Leone, agrees for himself and successors, on the part of Her Majesty the Queen of England, to pay or cause to be paid, annually, to the said Chief and his successors, the customs hereinafter mentioned and set forth, viz., the sum of 400 bars.

The above bars to be computed by the scale of bars in the schedule hereunto annexed.

XV. The said Chief shall, within 48 hours after the ratification of this Treaty, proceed to proclaim the same throughout his territories, and carry it into effect as a law.

Done at Fouricaria, this 28th day of May, in the year of our Lord, 1845, and of Her Majesty's reign the 8th.

ALIMAMI ALI.

WILKINS GEORGE TERRY.

JOHN WILLIAM JOHN-
STON, M.D.

CHARLES HEDDLE.

Schedule.—Scale for 400 Bars.

8 pieces blue baft, 80 bars; 8 pieces white baft, 80 bars; 8 pieces satin stripe, 96 bars; 172 lbs. tobacco, 100 bars; 20 gallons rum, in 4 jars, 44 bars.

(24.)—TREATY *with the Chiefs of Bereira.*—Signed at Fouricaria May 28, 1845.

TREATY between Wilkins George Terry, Esq., Doctor John William Johnston, of the 1st West India Regiment, and Charles Heddle, Esq., Commissioners on the part of his Excellency William Fergusson, Lieutenant-Governor of the colony of Sierra Leone

and its dependencies, for and on behalf of Her Most Gracious Majesty Victoria, by the Grace of God of the United Kingdom of Great Britain and Ireland, Queen, Defender of the Faith, &c., and Alimami Morie Mousa, Chief of Bereira.

ART. I. THERE shall be peace and friendship between the subjects of the Queen of England and the people, subjects of the said Chief, Alimami Morie Mousa.

II. The aforesaid Chief shall permit the ministers of the Christian religion to reside within his territories and exercise their calling; and he hereby guarantees to them the fullest protection.

III. The lives and property of liberated Africans, and all others, subjects of the Queen of England, shall be inviolate.

IV. The Chief aforesaid promises to abolish the Slave Trade, and not to allow any exportation of slaves from his country; nor to allow any vessels, craft, boats, or canoes, to enter into any of the rivers, creeks, bays, or waters of his territories, for the purpose of buying or selling slaves, or being in any manner engaged in the Slave Trade; nor to allow factories, or other establishments, to be formed in his territory by any persons whatsoever, for the purpose of purchasing or selling slaves.

V. No country law, custom, or purrah, is to be put in force against any subject of the Queen of England, on any pretence whatever; nor are any of the Queen's subjects to break through any country law or custom, nor commit any illegal act within the territory, or upon any of the subjects of the aforesaid Chief of Bereira.

VI. The Chief aforesaid does hereby recognize and acknowledge the rights which the subjects of the Queen of England have heretofore and at all times enjoyed, of free and unrestricted intercourse for trade and commerce, and for all other legitimate purposes, in and throughout the countries adjacent to and bordering on the Bereira and Mellacourie Rivers, and their branches; and the Chief aforesaid does hereby on his own part confirm, guarantee, and assure, to the subjects of the Queen of England, this right of free and unrestricted intercourse, so far as his own territory extends; and further engages that the subjects of her said Majesty shall be allowed to remain in peaceable possession of the lands and houses or factories which they have purchased or hired in the country or territory of the said Chief; and that the subjects of her said Majesty, as heretofore, may sell, buy, or hire lands or houses in his country, and that those lands or houses shall not be entered in or upon without the consent or permission of the person or persons by whom they have been so hired or purchased; nor shall the goods of the Queen's subjects be seized, nor their persons harmed. And if English people are wronged or ill-treated by the subjects of the

said Chief, he shall punish those who wrong or ill-treat the English people.

VII. The canoes and boats of the subjects of the aforesaid Chief, and the produce of his territories, are to be placed on the same footing as the boats, canoes, and produce of the colony of Sierra Leone; and all disputes which may arise between any of the inhabitants of the colony of Sierra Leone, or other subjects of the Queen of England, and the subjects or people of the said Chief, shall be referred to the Governor of Sierra Leone for the time being.

VIII. The aforesaid Chief engages not to enter into any war, or commit any acts of aggression on any of the neighbouring Chiefs, by which the trade of the country with the colony of Sierra Leone shall be interrupted, and the safety of the persons and property of the Queen of England's subjects compromised or endangered.

IX. The subjects of the Queen of England are hereby strictly prohibited from engaging, either directly or indirectly, in any war or quarrel which may break out between the said Chief and any other Chief, or in any dispute which may arise between him and his people or subjects; and they are strictly prohibited from aiding or assisting in the prosecution of any such war or quarrel, by furnishing them either with powder, or with muskets, or any other description of warlike stores whatever.

X. The paths shall be kept open through the Bereira country to other countries, so that English traders may carry goods through the said country, to sell them elsewhere; and the traders of other countries may bring their goods or produce through the said country, to trade with the English people, freely and without molestation.

XI. The Queen of England may appoint an agent to visit the country subject to the said Chief, or to reside there, in order to watch over the interests of English people; and such agent shall always receive honour and protection from the aforesaid Chief, and his person and property shall be protected.

XII. If the people or subjects of the said Chief should take away the property of any English person, or should not pay their just debts to any English person, the aforesaid Chief engages to do all he can to make the people restore the property so taken away, and pay their debts; and if English people should take away the property of the people or subjects of the said Chief, or should not pay any just debts due to the said people, the Chief shall make known the circumstances to the Governor of Sierra Leone for the time being, or to the resident agent (if there be one), and the Governor or agent shall do all in his power to make the English persons restore the property and pay their debts.

XIII. In proof of the value entertained by the said Chief, of the

counenance and support of the British Government, and of his earnest desire that he and his successors shall hereafter be considered as firm and staunch allies to the Queen of England and to the Government of the colony of Sierra Leone, the said Chief does hereby guarantee, for himself and successors, that any Treaty or agreement into which he or they may hereafter enter into with any Foreign Power or State, shall in no way interfere with or compromise the right of free intercourse recognized and acknowledged in the VIth clause of this Treaty, and the privileges hereby secured to the subjects of the Queen of England; and that any additional privileges or concessions which may by such Treaties or agreements be granted or made to any Foreign Power shall be also considered as granted and made to the subjects of the Queen of England.

XIV. In consideration of the foregoing stipulations of this Treaty being agreed upon and strictly adhered to on the part of the Chief aforesaid, and of his successors, his Excellency William Fergusson, Lieutenant-Governor of the colony of Sierra Leone, agrees for himself and successors, on the part of Her Majesty the Queen of England, to pay or cause to be paid annually, to the said Chief and his successors, the customs hereinafter set forth, viz.: the sum of 250 bars.

The above bars to be computed by the scale of bars in the schedule hereunto annexed.

XV. The said Chief shall, within 48 hours after the ratification of this Treaty, proceed to proclaim the same throughout his territories, and carry it into effect as a law.

Done at Fouricaria, this 28th day of May, in the year of our Lord 1845, and of Her Majesty's reign the 8th.

ALIMAMI MORIE MOUSA. WILKINS GEORGE TERRY.
JOHN WILLIAM JOHN-
STON, M.D.
CHARLES HEDDLE.

Schedule.—Scale for 100 Bars.

2 pieces blue baft, 20 bars; 2 ditto white baft, 20; 2 ditto satin stripe, 24; 43 lbs. tobacco, 25; 5 gallons rum, and jar, 11.

Scale for 50 Bars.

1 piece blue baft, 10 bars; 1 ditto white baft, 10; 1 ditto satin stripe, 12; $21\frac{1}{2}$ lbs. tobacco, $12\frac{1}{2}$; $2\frac{1}{2}$ gallons rum, in one jar, $5\frac{1}{2}$.

ACT of the Parliament of the Ionian Islands, relative to the Jurisdiction of British Diplomatic and Consular Authorities over Ionian Subjects in the Ottoman Dominions.—Corfu, April 1, 1845.

[No. 2.]

[April 1, 1845.]

WHEREAS, in order to remove doubts and differences of opinion as to the laws to be observed and the mode of proceeding before Ambassadors, Ministers, *Chargés d’Affaires*, Consuls-General, Consuls, Vice-Consuls, or other Consular Officers of Her Britannic Majesty, resident in the Levant in the Ottoman territories, an Act was passed by the British Parliament in the 6th and 7th years of the reign of Her Majesty Queen Victoria, cap. 94,* bearing date 24th August, 1843, which Act the Orders of Her Majesty in Council, and other Acts having relation thereto, have been communicated to the Government of these States by his Excellency the Lord High Commissioner, for any and every concordant disposition of law :

And as all who may enjoy the benefit of the protection of the aforesaid authorities ought in virtue of said Acts to conform to the laws and regulations in observance before and by those authorities : therefore, by the authority of his Highness the President and the Most Excellent the Senate, with the opinion and assent of the Most Noble the Legislative Assembly of the United States of the Ionian Islands, in this 1st session of the 8th Parliament, and with the approval of his Excellency the Lord High Commissioner of the Protecting Sovereign, it is decreed and enacted as follows :

ART. I. Ionian subjects, resident in the said Ottoman territories, in order to have the benefit of the protection of the aforesaid authorities of Her Majesty the Protecting Sovereign of these States, must strictly attend to what is prescribed by Articles VI and VII of Act LXX of the 2nd Parliament of these States.

II. In cases of civil questions, during the residence of any Ionian subject in a territory to which the jurisdiction of either of the aforesaid authorities extends, the relative rights and actions in favour of or against Ionian subjects and exercised before said authorities, are to be presented, discussed, or decided, according to the laws and regulations which those authorities are to observe ; and the decisions pronounced are to have effect and execution in these States, as if they issued from the competent Ionian judiciary authority of the island, to the jurisdiction of which the person or persons sentenced belong.

III. Whereas the above-mentioned resolution of Article II, respecting the execution of the decisions of Consuls by the Ionian

judiciary authorities, it is agreeable to what is also prescribed by Article DCVIII of the present Code of Civil Procedure; it is decreed that the definitive sentences of the Ionian courts of law shall likewise, on the principle of reciprocity, be carried into effect by the said Consuls in the places subject to their jurisdiction, immediately that Her Majesty the Protecting Sovereign of these States shall have been pleased to convey to them the relative instructions.

IV. In case of an offence committed by an Ionian subject in any of the places aforesaid, the offenders may be arrested on the order of the above authorities, and brought before them to be tried, and, if found guilty, punished by the sole authority of the Minister, Consul, Vice-Consul, or other Consular Officer, of Her Majesty, with imprisonment as far as 3 months, or a fine not exceeding 100 dollars. The punishment may be extended to imprisonment for 1 year, or a fine not exceeding 200 dollars, when the proceedings of said authorities are in a Court composed of the Minister, Consul, Vice-Consul, &c., and of assessors, who must be named by him.

V. In cases of a serious nature, the accused are to be sent by the aforesaid authorities to these States in order to be tried, and if guilty, punished, proceeding with respect to Ionian subjects in the same manner as for British subjects.

VI. The present is to be printed, published, and transmitted to the proper authorities, for due execution.

Corfu, (20th March) 1st April, 1845.

ACT of the Parliament of the Ionian Islands, to correct an Error in the Act relating to British Diplomatic and Consular Jurisdiction in the Ottoman Dominions.—Corfu, August 20, 1845.

[No. 4.]

[August 20, 1845.]

WHEREAS the Ministers, Ambassadors, and other Diplomatic Agents of Her Majesty the Protecting Sovereign, resident in the Levant and other parts of Turkey, always form, in their juridical capacity and jurisdiction, a superior authority, as it were, a Court of Appeal, or revision, for the sentences pronounced by the Consuls-General, Consuls, or Vice-Consuls of Her Majesty.

And whereas, in Article IV of Act No. II* of the existing Parliament, instead of speaking of the Consuls-General as constituting the Penal Tribunal of First Instance, the word "Minister" was erroneously used: therefore,—during the recess of Parliament, agreeably to Article XVI, sect. 3, cap. 2, of the Constitutional

Chart of 1817,*—by the authority of his Highness the President and the Most Excellent the Senate, and with the approval of his Excellency the Lord High Commissioner of the Protecting Sovereign, it is decreed and ordained as follows:

ART. I. In Article IV of Act No. II of the existing Parliament, where in 2 places the word “Minister” occurs, “Consul General” is to be read.

II. The present is to be printed, published, and transmitted to the proper quarter for execution.

Corfu, August 20, 1845.

TREATY of Commerce and Navigation, between Great Britain and Tuscany.—Signed at Florence, April 5, 1847.

[Ratifications exchanged at Florence, June 12, 1847.]

HER Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Imperial and Royal Highness the Grand Duke of Tuscany, being equally animated by the desire of extending the commercial relations between their respective dominions, have agreed for this purpose to conclude a Treaty of Commerce and Navigation, and have named as their Plenipotentiaries, that is to say:

Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, the Honourable Peter Campbell Scarlett, Her Majesty's Secretary of Legation at the Court of His Imperial and Royal Highness the Grand Duke of Tuscany;

And His Imperial and Royal Highness the Grand Duke of Tuscany, Alexander Humbourg, Knight of the Military Order of

SUA Maestà la Regina del Regno Unito della Gran Bretagna ed Irlanda, e Sua Altezza Imperiale e Reale il Gran Duca di Toscana, essendo ugualmente animati dal desiderio di estendere i rapporti commerciali tra i rispettivi loro dominj, hanno convenuto di concludere un Trattato di Commercio e di Navigazione, ed hanno nominato per loro Plenipotentziarii, cioè:

Sua Maestà la Regina del Regno Unito della Gran Bretagna ed Irlanda, l'Onorevole Pietro Campbell Scarlett, Segretario della sua Legazione presso la Corte di Sua Altezza Imperiale e Reale il Gran Duca di Toscana;

E Sua Altezza Imperiale e Reale il Gran Duca di Toscana, Alessandro Humbourg, Cavaliere del Militare Ordine di Santo

Saint Stephen Pope and Martyr, Knight of the Grand Cross of the Order of Merit, with the title of Saint Joseph, Commander of the Order of Civil Merit of Saxony, Knight of that of Leopold of Austria, Privy Councillor of State, Finance, and War, Director of the Royal Secretaryship of War, Minister of Foreign Affairs of His Imperial and Royal Highness:

Who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon and concluded the following Articles:

ART. I. From and after the date of the exchange of the ratifications of the present Treaty, British vessels arriving at, remaining in, or departing from, the ports of Tuscany and its dependencies, and Tuscan vessels arriving at, remaining in, or departing from, the ports of the United Kingdom of Great Britain and Ireland, or of Her Britannic Majesty's possessions abroad, shall be subject to no other or higher dues or charges, of whatsoever nature they may be, than those which are now, or shall hereafter be, imposed upon national vessels, on their arrival at, during their remaining in, or on their departure from such ports.

II.—1. All articles of the growth, produce, or manufacture of Tuscany and its dependencies, which are or shall be permitted

Stefano Papa e Martire, Cavaliere Gran Croce dell' Ordine del Merito sotto il titolo di San Giuseppe, Commendatore dell' Ordine del Merito Civile di Sassonia, Cavaliere di quello di Leopoldo d'Austria, Consigliere intimo attuale di Stato, Finanze e Guerra, Direttore della Reale Segreteria de Guerra, Ministro degli Affari Esteri della Altezza Sua Imperiale e Reale:

I quali, dopo essersi reciprocamente comunicati i loro pieni poteri, trovati in buona e debita forma, hanno concordati e conclusi i seguenti Articoli:

ART. I. A datare dal cambio delle ratifiche del presente Trattato, i bastimenti Inglesi nei porti della Toscana e sue dipendenze, sia al loro arrivo, sia durante la loro permanenza, sia nell'atto di partirne, e i bastimenti Toscani nei porti del Regno Unito della Gran Bretagna ed Irlanda e degli altri possedimenti di Sua Maestà Britannica, sia al loro arrivo, sia durante la loro permanenza, sia nell'atto di partirne, non saranno sottoposti ad altri o più elevati diritti o gravezze di qualsivoglia natura di quelli che attualmente sono o saranno imposti in seguito sui bastimenti nazionali nei detti porti, sia al loro arrivo, sia durante la loro permanenza, sia nell'atto di partirne.

II.—1°. Tutti gli articoli di produzione del suolo o dell'industria della Toscana e sue dipendenze, dei quali è o sarà

to be exported from the ports of Tuscany and its dependencies in Tuscan vessels, shall likewise be permitted to be exported from those ports in British vessels, either to the ports of the United Kingdom of Great Britain and Ireland, or to the ports of Her Britannic Majesty's possessions abroad, or to the ports of any other foreign country.

2. All articles of the growth, produce, or manufacture of the dominions of Her Britannic Majesty, which are or shall be permitted to be exported from the ports of the United Kingdom of Great Britain and Ireland in British vessels, shall likewise be permitted to be exported from those ports in Tuscan vessels, either to the ports of Tuscany and its dependencies, or to the ports of any other foreign country.

3. All articles of the growth, produce, or manufacture of Tuscany and its dependencies, which are or shall be permitted to be imported in British vessels, from the ports of Tuscany and its dependencies, or from the ports of any other foreign country, into the ports of the United Kingdom of Great Britain and Ireland, shall likewise be permitted to be imported in Tuscan vessels.

4. All articles of the growth, produce, or manufacture of the United Kingdom of Great Britain and Ireland, which are or shall be permitted to be imported into the ports of Tuscany and its

permessa la esportazione dai porti della Toscana e sue dipendenze con bastimenti Toscani, potranno del pari essere esportati da quei porti con bastimenti Inglesi a direzione tanto dei porti del Regno Unito della Gran Bretagna ed Irlanda e degli altri possedimenti di Sua Maestà Britannica, quanto ancora a direzione di qualunque altro estero paese.

2°. Tutti gli articoli di produzione de suolo e della industria dei dominj di Sua Maestà Britannica dei quali è o sarà permessa l'esportazione dai porti del Regno Unito della Gran Bretagna ed Irlanda con bastimenti Inglesi, potranno del pari essere esportati da quei porti con bastimenti Toscani a direzione tanto dei porti della Toscana e sue dipendenze, quanto ancora di qualunque altro estero paese.

3°. Tutti gli articoli di produzione del suolo e della industria della Toscana e sue dipendenze, dei quali è o sarà permessa l'importazione dai porti della Toscana e sue dipendenze, o da quelli di qualunque estero paese nei porti del Regno Unito della Gran Bretagna ed Irlanda con bastimenti Inglesi, potranno del pari essere importati con bastimenti Toscani.

4°. Tutti gli articoli di produzione del suolo e della industria del Regno Unito della Gran Bretagna ed Irlanda, dei quali è o sarà permessa l'importazione nei porti della Toscana e sue

dependencies in Tuscan vessels, shall likewise be permitted to be imported into those ports in British vessels.

III. All articles whatsoever which can be legally imported into the ports of the United Kingdom of Great Britain and Ireland in Tuscan vessels, or into the ports of Tuscany and its dependencies in British vessels, shall, on their importation, be subject to the same duties of importation, dues, and charges, and be entitled to the same bounties, drawbacks, and allowances, whether such articles be imported in vessels of the one or of the other country.

IV. All articles whatsoever, which can legally be exported from the ports of the United Kingdom of Great Britain and Ireland, in Tuscan vessels, or from the ports of Tuscany and its dependencies in British vessels, shall, on their exportation, be subject to the same duties of exportation, dues, and charges, and be entitled to the same bounties, drawbacks, and allowances, whether such articles be exported in vessels of the one or of the other country.

V. The Ionian Islands being under the protection of Her Britannic Majesty, the subjects and vessels of those islands shall enjoy in the Tuscan dominions all the advantages which are granted by the present Treaty to the subjects and vessels of Great Britain, as soon as the

dipendenze con bastimenti Toscani, potranno del pari essere importati nei porti stessi con bastimenti Inglesi.

III. Tutti i prodotti di qualunque sorta essi siano, che possono essere legalmente importati nei porti del Regno Unito della Gran Brettagna ed Irlanda con bastimenti Toscani, e nei porti della Toscana, e sue dipendenze con bastimenti Inglesi, saranno alla loro importazione sottoposti ai medesimi diritti d'importazione, tasse a gravezze, e otterranno le stesse facilità, rimborsi di diritti e vantaggi, sia che vengano importati con bastimenti dell' uno o dell' altro dei due stati.

IV. Tutti i prodotti di qualunque sorta essi siano, che possono essere legalmente esportati dai porti del Regno Unito della Gran Brettagna ed Irlanda con bastimenti Toscani, o dai porti della Toscana e sue dipendenze con bastimenti Inglesi, saranno, alla loro esportazione, sottoposti ai medesimi diritti di esportazione, tasse e gravezze, e otterranno le stesse facilità, rimborsi di diritti e vantaggi, sia che vengano esportati con bastimenti dell' uno o dell' altro dei due stati.

V. I sudditi e bastimenti delle Isole Ionie, essendo quelle isole sotto la protezione di Sua Maestà Britannica, godranno nei domini Toscani di tutti i vantaggi accordati dal presente Trattato ai sudditi e bastimenti della Gran Brettagna, tostochè il Governo delle Isole Ionie avrà consentito

Government of the Ionian Islands shall have agreed to grant the same reciprocal advantages in those islands to the subjects and vessels of His Imperial and Royal Highness the Grand Duke of Tuscany; it being understood that to prevent abuses, every Ionian vessel claiming the benefits of the present Treaty, shall be furnished with a patent signed by the Lord High Commissioner, or by his representative.

VI. The present Treaty shall be in force until the 1st of January, 1857, and further until the end of 12 months after either of the High Contracting Parties shall have given notice to the other of its intention to terminate the same; each of the High Contracting Parties reserving to itself the right of giving such notice to the other on the 1st of January, 1856, or at any subsequent time.

And it is hereby agreed between them, that at the expiration of 12 months after such notice shall have been received by either party from the other, this Treaty, and all the provisions thereof, shall altogether cease and determine.

VII. The present Treaty shall be ratified, and the ratifications thereof shall be exchanged at Florence, at the expiration of 2 months, or sooner if possible.

In witness whereof the above-named Plenipotentiaries have signed the present Treaty in 2 originals, and have affixed thereto the seal of their arms.

di accordare gli stessi reciproci vantaggi in quelle isole ai sudditi e bastimenti di Sua Altezza Imperiale e Reale il Gran Duca di Toscana; bene inteso che all' effetto di prevenire qualsiasi abuso, ogni bastimento Ionio che vorrà esser fatto partecipe dei benefizj del presente Trattato, dovrà essere munito di una patente firmata dal Lord Alto Commissario, o dal di lui rappresentante.

VI. Il presente Trattato sarà in vigore fino al 1 Gennajo, 1857, e inoltre per dodici mesi compiti decorrendi dal giorno in cui una delle Alte Parti Contraenti avrà notificata all' altra la propria intenzione di porvi termine, riserbandosi ciascuna delle due Alte Parti Contraenti il diritto di dare un tale avviso il 1mo di Gennajo, 1856, o in ogni tempo susseguente.

Resta inoltre convenuto che dopo spirati i dodici mesi dall' epoca nella quale una delle due Parti avrà ricevuto dall' altra tale avviso, questo Trattato e tutte le sue disposizioni dovranno aver fine e cessare totalmente.

VII. Il presente Trattato sarà ratificato, e le ratifiche saranno cambiate in Firenze, nello spazio di 2 mesi, o più presto se sarà possibile.

In fede di che i Plenipotenziarj sopranominati hanno firmato il presente Trattato in 2 originali, e vi hanno apposto il sigillo delle loro armi.

Done at Florence, the 5th of April, in the year of our Lord 1847.

(L.S.) P. CAMPBELL SCARLETT.

(L.S.) A. HUMBOURG.

Fatto a Firenze, li 5 Aprile, dell' anno de grazia 1847.

(L.S.) P. CAMPBELL SCARLETT.

(L.S.) A. HUMBOURG.

DECLARATION signed by the British and Tuscan Plenipotentiaries, on the Exchange of the Ratifications of the preceding Treaty.—Florence, June 12, 1847.

THE Undersigned, Plenipotentiaries of Her Majesty the Queen of the United Kingdom of Great Britain and Ireland, and His Imperial and Royal Highness the Grand Duke of Tuscany, having met together for the purpose of exchanging the ratifications of the Treaty of Commerce and Navigation signed at Florence on the 5th of April last;

The Plenipotentiary of Her Britannic Majesty hereby declares, by order of his Government, that the provisions of the Treaty shall extend to the British possessions of Malta and Gibraltar.

The Plenipotentiary of His Imperial and Royal Highness the Grand Duke of Tuscany hereby declares, by order of his Government, that British steam-vessels may enter, remain in, and depart from Tuscan ports, without being obliged upon each occasion to pay the port charges of any kind which may be due, but that the account thereof shall be settled at the end of every 6 months; and the Consul of Her Britannic Majesty at Leghorn shall arrange with the authorities in Tuscany

I SOTTOSCRITTI, Plenipotenziarj di Sua Maestà la Regina del Regno Unito della Gran Brettagna ed Irlanda, e di Sua Altezza Imperiale e Reale il Gran Duca di Toscana, essendosi riuniti ad oggetto di procedere al cambio delle ratifiche del Trattato di Commercio e Navigazione firmato a Firenze il 5 Aprile ultimo decorso;

Il Plenipotenziario di Sua Maestà Britannica dichiara col presente atto, per ordine del proprio Governo, che tutte le disposizioni del suddetto Trattato saranno estese ai possedimenti Inglesi di Malta e Gibilterra.

Il Plenipotenziario di Sua Altezza Imperiale e Reale il Gran Duca di Toscana dichiara col presente atto, per ordine del proprio Governo, che i bastimenti a vapore Inglesi possono entrare nei porti Toscani, rimanervi e partirne, senza essere obbligati di pagare, volta per volta, le tasse di porto che sieno dovute, di qualunque specie, ma che il conto debba esserne saldato alla fine di ogni 6 mesi; e il Console di Sua Maestà Britannica a Livorno dovrà concertarsi con le

as to the measures to be taken for regulating and assuring the payment thereof.

The Plenipotentiary of His Imperial and Royal Highness further declares, by order of his Government, that British steam-vessels are permitted to maintain in Tuscan ports coal-hulks for their express use and at their own charge.

Done at Florence, the 12th day of June, 1847.

(L.S.) P. CAMPBELL SCARLETT.

autorità Toscane quanto alle misure da prendersi per liquidare il conto stesso e assicurarne il pagamento.

Il Plenipotenziario dell' Imperiale e Reale Altezza Sua dichiara inoltre, per ordine del proprio Governo, che sarà permesso ai bastimenti a vapore Inglesi di mantenere nei porti Toscani dei carichi di carboni per espresso loro uso e a proprie spese.

Fatto a Firenze, il dì 12 di Giugno, 1847.

(L.S.) A. HUMBOURG.

ACT of the Parliament of the Ionian Islands, for the execution of the Treaty of Commerce and Navigation between Great Britain and Tuscany, of April 5, 1847.—Corfu, April 24, 1847.*

[No. 44.]

[April 24, 1847.]

WHEREAS his Excellency the Lord High Commissioner has communicated to the Senate copies of the correspondence between the Secretary of State for Foreign Affairs, and the Secretary of State for the Colonies of the Government of Her Majesty the Protecting Sovereign of these States, relative to the admission of Ionian vessels into the ports of Tuscany with the same privileges as English ships:

And, as it appears from said documents that, by the decree of the Tuscan Government, Ionian vessels are to be admitted into the ports of the Grand Duchy on the same footing as the national vessels, on condition of reciprocity:—therefore, by the authority of his Highness the President, with the opinion and assent of the most noble the Legislative Assembly of the United States of the Ionian Islands, in the 2nd Session of the 8th Parliament, and with the approval of his Excellency the Lord High Commissioner of the Protecting Sovereign, it is decreed and enacted as follows:

Art. I. Ships under the flag of the Grand Duchy of Tuscany, by reason of the reciprocity granted by that Government, are placed in

Ionian ports on an equal footing with national vessels, as well in regard to maritime rights as to duties of the Customs.

Said equality of rights and privileges, however, is not applicable to the coasting trade and the traffic from one port to another of the United States of the Ionian Islands.

II. The present is to be printed, published, and transmitted to the proper authorities for due execution.

*POSTAL CONVENTION between Great Britain and
Oldenburg.—Signed at London, November 3, 1842.*

WHEREAS the Lords Commissioners of Her Britannic Majesty's Treasury have authorized Her Majesty's Postmaster-General to conclude an Agreement with the Post Office of Oldenburg; the following Agreement between the Right Honourable William Baron Lowther, a Peer of the realm, a Privy Councillor, and Her Britannic Majesty's Postmaster-General, and Henry Frederick Tiarks, Esquire, Consul-General for the Grand Duchy of Oldenburg (who has communicated his full powers from the Grand Duke of Oldenburg to make an Agreement on the part of the Post Office of that duchy), is concluded and agreed upon:

ART. I. The British postage upon letters passing between the United Kingdom and the Grand Duchy of Oldenburg, that is to say, letters posted in the United Kingdom and addressed to Oldenburg, and *vice versâ*, conveyed direct between the United Kingdom and Oldenburg, by packet-boat or private ship, or *viâ* the territories of Hamburgh, Hanover, or Bremen, or any of them, by packet-boat or private ship between any port in such territories and the United Kingdom, shall be 1 rate of 6*d.* on every letter not exceeding $\frac{1}{2}$ an ounce in weight; and all letters exceeding that weight shall be charged progressive and additional rates (each additional rate being estimated at 6*d.*), according to the scale of weight and number of rates now in operation in the United Kingdom: and the British rate of transit postage to be taken on letters posted in or addressed to Oldenburg, conveyed direct between the United Kingdom and Oldenburg by packet-boat or private ship, or *viâ* the territories of Hamburgh, Hanover, and Bremen, or any of them, by packet-boat or private ship, between any port in such territories and the United Kingdom, passing through the United Kingdom to and from its colonies or foreign countries, shall be the rate which is now or shall hereafter be taken upon letters between the United Kingdom and

such colonies and foreign countries respectively, in addition to the rate of 6*d.* the $\frac{1}{2}$ ounce and progressive rates hereinbefore mentioned, the postage which is to be charged between the United Kingdom and Oldenburg. The British rate on such transit letters is, however, to be calculated from or to the port of departure or arrival of the packet.

II. The Oldenburg postage on letters posted in Oldenburg and addressed to the United Kingdom, and *vice versâ*, shall be 2 grotes gold per British $\frac{1}{2}$ ounce inclusive, and so on in proportion, according to the scale of weight and number of rates now in operation for rates of British postage in the United Kingdom. The same Oldenburg rates shall be taken on letters passing through the United Kingdom, to and from its colonies and those foreign countries with which the British Government shall make arrangements for a mutual reduction of postage, when such letters shall pass through Oldenburg; provided that both these classes of letters, whether those between the 2 countries or those in transit through one or both of them, shall be conveyed direct between the United Kingdom and Oldenburg by packet-boat or private ship, or *viâ* the territories of Hamburg, Hanover, and Bremen, or any of them by packet-boat or private ship, between any ports in such territories and the United Kingdom. And the Post Office of Oldenburg further agrees, that all letters of the description alluded to in the 1st and present Articles, and which are entitled to pass at the reduced rates of postage therein established, shall, when addressed to places within the territory of Oldenburg, be delivered at such places without the imposition of any additional charge for transit postage or otherwise, over and above the before-mentioned rate of postage.

These provisions, however, shall not preclude Oldenburg from collecting from the sender or receiver of such letters, when conveyed between the United Kingdom and Oldenburg through Bremen, the sum not exceeding 4 grotes Bremen currency per $\frac{1}{2}$ ounce, and so on in proportion, due as transit postage to Bremen on such letters, in addition to the rate of 2 grotes gold per $\frac{1}{2}$ ounce, and so on, which is to be taken by Oldenburg for its own benefit.

Should an account at any time be opened with Oldenburg, it must be understood that any British postage which may be collected or received in Oldenburg under the present Agreement, is to be duly accounted for and paid over to the Postmaster-General, at such times and in such manner as he shall direct.

III. Newspapers published in the United Kingdom, and duly stamped, shall, when forwarded in conformity with the regulations and under the conditions prescribed by law in the United Kingdom, and conveyed direct by packet-boat between the United Kingdom and Oldenburg, or when conveyed between the United Kingdom

and Oldenburg through the territories of Hamburgh, Hanover, and Bremen, or any of them, the same being contained in the packet-mails, be forwarded without charge from the United Kingdom; and no rate of postage shall be levied upon them in Oldenburg; and, conversely, no charge shall be made by Oldenburg or by the United Kingdom on newspapers duly published in Oldenburg, and in the language of Oldenburg, either when dispatched from that duchy or when delivered in the United Kingdom, whether conveyed direct by packet-boat between Oldenburg and the United Kingdom, or transmitted between Oldenburg and the United Kingdom through the territories of Bremen, Hanover, and Hamburgh, or any of them, by means of the packet-boats, from any port in the last-mentioned territories.

When such newspapers are conveyed by private ship, the charge on each newspaper by the British Post Office shall be 1*d.* on its dispatch, and the same sum on its delivery; and the charge in Oldenburg shall be restricted to the sum, if any, paid to the commanders or owners of private vessels as the remuneration for the conveyance of such newspapers; such rate, however, shall in no case exceed 2 grotes gold on each newspaper so sent and received.

IV. The Government of Oldenburg engages to provide for the embarking and disembarking the mails at any port in the territory of Hamburgh, and if necessary at any port in Hanover, Bremen, or Oldenburg; and also, if requisite, for their conveyance between Heligoland and any such ports, and for their transmission between Oldenburg and any port of embarkation or disembarkation, free of all charge to Great Britain, and without the letters or newspapers being subjected to any rate of postage beyond that already provided for by this Treaty, so long as the correspondence shall be transmitted between the United Kingdom and Oldenburg, *viâ* the territories of Hamburgh, Hanover, and Bremen, or any of them.

V. The provisions of this Treaty shall be extended to the other territories of the Grand Duchy of Oldenburg, viz., the Principality of Birckenfeld and the possessions of the duchy in Holstein, whenever, by the conclusion of Treaties for the mutual reduction of postage with surrounding countries, an opportunity shall be presented of including them in the present Convention.

VI. The present Treaty is concluded for an indefinite period, and if at any future time circumstances should render any change or modification desirable in any of its Articles, the Contracting Parties will concert upon the subject; it is understood, however, that either party shall be at liberty to annul the whole or any part of this Treaty, by giving the other party 6 months' notice of such intention; and during that term of 6 months the Treaty shall be fully and entirely carried into effect.

In witness whereof the respective Parties have signed the present Agreement.

Done in duplicate at the General Post Office, London, this 3rd day of November, in the year of our Lord, 1842.

(L.S.) LOWTHER.

(L.S.) H. F. TIARKS.

DECLARATION of the Diet of the Germanic Confederation, respecting the Slave Trade.—Frankfort, February 3, 1843.

(Translation.)

Extract from the Protocol of the 3rd Sitting of the German Diet.

COMMUNICATION of the Treaty entered into between Austria, France, Great Britain, Prussia, and Russia, in London, on the 20th December, 1841,* and of one of the Protocols relating thereto, of the 9th of November, 1842,† on the subject of the Slave Trade.

AUSTRIA and Prussia.—The Envoy has the honour (in consequence of instructions to that effect) to present to the High Diet a copy of a Treaty entered into in London on the 20th December, 1841, between Austria, France, Great Britain, Prussia, and Russia, but nevertheless (as the Protocol of the 9th November, 1842, likewise communicated, shows) only ratified by Austria, Great Britain, Prussia, and Russia, relative to the suppression of the Slave Trade; with the papers connected therewith.

The Courts of Vienna and Berlin feel persuaded that their high Confederates will find in the present communication a joyful occasion for according their approbation to the principles of Christian philanthropy on which the London Treaty is based, and particularly in the resolution arising therefrom, expressed in Article I thereof, whereby the Slave Trade is put on the same level with, and stigmatized as, piracy, and that, in furtherance of the noble object of this Treaty, they are ready to declare themselves of the same opinion and spirit, whenever opportunities offer.

Question put.

Bavaria.—The Envoy is persuaded that his Government will thankfully participate in the communication of this Treaty, and gives its concurrence to the principles of philanthropy and Christian feeling contained in it, and in particular to the resolution, that the Slave Trade is put on the same level with piracy; and he expresses the most sanguine hope that the measures which the Contracting Powers have agreed upon may soon accomplish the object of rooting out this shameful trade.

* Vol. XXX. Page 269.

† Vol. XXX. Page 299.

In accordance with this declaration on the part of the Royal Bavarian Court, it was, on putting the question, unanimously agreed that :

“The German Diet has, with many thanks, concurred in the communication made to them, on the part of the 2 High Governments of Austria and Prussia, relative to the Treaty entered into in London on the 20th December, 1841. It gives its entire approbation to the sentiments and principles of Christian philanthropy out of which this Treaty, and especially the Resolutions contained therein, have arisen, whereby the Slave Trade is put on the same level, as to crime, with piracy; and it expresses its sincere hope, that the measures which the Contracting Powers have agreed upon, may speedily accomplish the object of entirely rooting out this shameful traffic.”

RESOLUTION of the Diet of the Germanic Confederation, for the Punishment of Slave Trade as Piracy.—Frankfort, June 19, 1845.

(Translation.)

RESOLVED,—In full and just acknowledgment of the sentiments and principles of Christian humanity, which have induced the Courts of Great Britain, Austria, Prussia, and Russia, to conclude the Treaty of the 20th December, 1841, for the suppression of the Slave Trade, the German Governments conjointly animated by the desire on their side, so far as in their power lies, of assisting to root out effectually this iniquitous traffic, agree that the Slave Trade shall be generally prohibited by them.

Accordingly, where provision to this end is not made in the existing criminal laws, the traffic in slaves is punished as piracy: in those States, however, whose code of laws make no particular mention of piracy, the punishment for kidnapping [*Menschenraubes*], or a similar heavy punishment, will be inflicted.

*CORRESPONDENCE with The United States, respecting Central America.—1849—1851.**

No. 1.—*Mr. Crampton to Viscount Palmerston.—(Rec. October 3.)*
 MY LORD, *Washington, September 17, 1849.*

MR. CLAYTON having requested me to call upon him at the Department of State, said that he wished to converse with me

* Laid before Parliament, with subsequent Papers, in 1856.

frankly and confidentially upon the subject of the proposed passage across the isthmus, by way of Nicaragua and the River San Juan, with regard to which he had long felt a great deal of anxiety—an anxiety lately very much increased by intelligence he has received from Mr. Elijah Hise, who has arrived at Washington from Guatemala, where he has been for some years Chargé d’Affaires of The United States.

Mr. Hise has, it appears, upon his own responsibility, and without instructions either from the late or from the present administration, signed, on the part of The United States, a Treaty with the State of Nicaragua, by which the latter grants to The United States an exclusive right of way across her territories, including therein the River San Juan, for the purpose of joining the 2 oceans by a canal across the isthmus. The Treaty contains a number of provisions, such as stipulations for the construction of forts and military works upon the banks of the San Juan for the protection of the proposed passage. These Mr. Clayton enumerated to me; but he read to me, at length, the Article which he regards as the most objectionable in the Treaty, by which it is stipulated that The United States guarantees to Nicaragua for ever the whole of her territory, and promises to become a party to every defensive war in which that State may hereafter be engaged for the protection of that territory.

To the whole of this Treaty, as well as to the “absurd stipulation” which he had just read, Mr. Clayton said that it was scarcely necessary to remark that he was entirely opposed. His views and wishes with respect to the construction of a canal across the isthmus by way of Nicaragua were, he observed, known to me, and had been, as I was aware, communicated by his direction to Her Majesty’s Government; these would, he trusted, have convinced your Lordship that the Government of The United States have no views of exclusive advantage to themselves in this matter. He felt most anxious that the signature of the present Treaty by Mr. Hise should not produce a contrary impression in any quarter; and with this view he proceeded to read to me a portion of the instructions which have been given to Mr. Squier, who has been lately sent as United States’ Chargé d’Affaires to Nicaragua. By these Mr. Squier is directed not only not to negotiate any Treaty with that Government on the subject of a passage across the isthmus, but not to give his support or countenance to any contract entered into by private citizens of The United States with Nicaragua on that subject, of an exclusive nature, or such as might bring The United States into collision with any other Power.

The signature of the present Treaty has, Mr. Clayton remarked, placed the Government of The United States in a most embarrassing

situation. You know, he said, that the Government have no majority in the Senate; you know that the Treaty will be called for by Congress; the substance of it, indeed, has already found its way into the newspapers; you are aware of the opinion which, whether right or wrong, is generally entertained in this country of the claim of the Mosquito Chief to any part of the territory claimed by Nicaragua; and you can form an idea of eagerness with which the party opposed to the Government will avail themselves of the opportunity of either forcing us into collision with Great Britain on this subject, or of making it appear that we have abandoned, through pusillanimity, great and splendid advantages fairly secured to the country by Treaty. It will require great caution on both sides, said Mr. Clayton, to prevent the 2 Governments being brought into collision on account of this intrinsically worthless country.

Mr. Clayton concluded by saying that he would immediately send for Mr. Abbot Laurence, who is now at Boston preparing for his departure for England on the 26th instant, and that he would put him into full possession of the views of The United States' Government with regard to this subject. He begged me in the meantime to communicate the substance of what he had said to me to your Lordship.

I have, &c.

Viscount Palmerston, G.C.B.

JOHN F. CRAMPTON.

No. 2.—Mr. Crampton to Viscount Palmerston.—(Rec. October 13.)
(Extract.)

Washington, October 1, 1849.

I HAD the honour of informing your Lordship in my despatch of the 17th ultimo, that it was Mr. Clayton's intention to send for Mr. Laurence, in order to put him, before his departure for England, fully into possession of the views of The United States' Government with regard to the project for making a canal across the isthmus by way of the Lakes of Nicaragua and the River St. John; the more especially that this question has been rendered one of great embarrassment to The United States' Government by the signature of a Treaty on the subject by Mr. Hise, the American Chargé d'Affaires at Guatemala, with the Nicaraguan Government, and by the conflicting claim of Mosquito, supported by the British Government.

Mr. Laurence was not, however, able to come to Washington before leaving this country, and Mr. Clayton is therefore about to address to him a detailed instruction upon this matter, for communication to Her Majesty's Government.

Mr. Clayton, nevertheless, yesterday took an opportunity of entering upon the subject with me, with greater earnestness and at greater length than on any previous occasion; and I am the more anxious to report accurately to your Lordship the substance of his

remarks, from the circumstance that the President, who happened to come into Mr. Clayton's room upon other business, on being informed of the subject on which we were engaged, waived all ceremony and joined in our conversation with great frankness, and every appearance of a wish to make proof of the most friendly feelings towards Her Majesty's Government, by evincing a disposition to deal with entire openness with regard to the affair in question.

The junction of the 2 oceans by a canal, Mr. Clayton observed, was an object so important to the whole of the commercial world, that it was matter for surprise that an attempt had not long since been made to effect it. The increase of population on the western coast of this continent had, however, now rendered it certain that such an attempt would ere long be made. The Government of The United States are strongly in favour of such an undertaking; but they are as earnestly opposed to its execution being made a subject for jealousy, by an attempt on the part of any one nation to monopolize to itself either the credit due to such an enterprise, or the advantages to be derived from it when effected. It should, in their view, be rather made a bond of peace and good understanding, by being brought about by a combined effort, and for the general benefit of mankind.

That great applause in certain quarters, and a certain sort of popularity, might be gained by the Government of either of the countries by an attempt to effect this work upon a principle of exclusive advantage, Mr. Clayton observed, there could be no doubt. But The United States' Executive disclaimed any such wish, but desired, on the other hand, not to be driven to adopt any measure for obtaining such exclusive advantage. Such popularity or applause would, in their opinion, be dearly bought by the jealousies and misunderstandings between nations which would be the inevitable result; and this it was the study of The United States' Government to avert.

The 2 countries, Mr. Clayton continued, most deeply interested in this work are, there can be no doubt, Great Britain and The United States. Their interest in it, indeed, seemed to him to be identical. Their entire agreement with regard to it was therefore an object of paramount importance.

It was with this feeling, he said, that The United States' Government would entirely disapprove of the Treaty signed by Mr. Hise with the State of Nicaragua, unless they were driven to adopt it to counteract the exclusive claim of some other country. That Treaty both secured exclusive advantage to The United States with regard to the proposed Canal which they did not wish, under any circumstances, to possess, and threatened, besides, to bring them into

collision with Her Majesty's Government upon the Mosquito question pending between them and the State of Nicaragua.

What The United States' Government would now propose, therefore, was this: that The United States should abandon the Treaty signed by Mr. Hise; and, instead of ratifying it, should propose, simultaneously with Her Majesty's Government, another Treaty to Nicaragua by which no exclusive advantage should be conferred on any party, and the great object of which should be to guarantee the safety of a company of capitalists, to whom a charter should be granted by Nicaragua on reasonable terms for the execution and maintenance of the work. This company Mr. Clayton would have formed upon no exclusive principle as regards the shareholders, while it should be regulated as regards the rate of toll to be levied, and on such other points as might appear necessary, by the Governments guaranteeing its safety and undisturbed possession. The Government of Nicaragua would of course have no power to levy any other dues than custom duties on articles imported for her own consumption; the transit from ocean to ocean being left free. The sole fact of the existence of such Treaties between Great Britain and Nicaragua, and between Nicaragua and The United States, would, in Mr. Clayton's opinion, be quite sufficient to insure the undisturbed execution of the work; but he would propose that every other Power which should conclude a similar Treaty with Nicaragua, and offer a similar guarantee, should be admitted on equal terms to all the advantages of the Canal. It would be by such an arrangement that the character which it ought to possess would be conferred on this great undertaking.

These considerations if fairly laid before Her Majesty's Government would, The United States' Government are persuaded, induce Her Majesty's Government to consent to make such an arrangement with regard to the Mosquito claim, as would prevent its being an obstacle to the design in question. The Mosquito claim, if disconnected with the question of a passage across the isthmus, is not, The United States' Government apprehend, one to which any great importance can be attached by Her Majesty's Government; and they cannot perceive that if the object which they think it probable that Her Majesty's Government, in common with themselves, have in view of preventing an injurious monopoly being established by any one nation in the quarter in question, is obtained, there can be any real difficulty in arranging the question as far as the Mosquito nation is involved in it.

I here remarked to Mr. Clayton, that whatever might be the views of Her Majesty's Government with regard to the proposed passage across the isthmus—and I was at present entirely un-

acquainted with them—the claims of the King of Mosquito to the territory in question, and to the protection of Her Majesty's Government, were of so clear and indisputable a nature, that I was not warranted in supposing for a moment that Her Majesty's Government would recede from the position which they had assumed in regard to them. I was anxious, therefore, to learn in what manner Mr. Clayton would suggest that an arrangement could be effected which would meet this difficulty.

Mr. Clayton observed, " You affirm the Mosquito title ; we deny it. There we are at issue ; and if that controversy be not arranged amicably, the canal will probably never be made for either of us." He thought it could be easily settled by a little mutual forbearance, but he would prefer to leave to your Lordship the suggestion of the best means of effecting an object so desirable. In the course of our conversation, however, some of the circumstances of the case were adverted to, which seemed to him to offer the means of arriving at a solution of the difficulty which would be satisfactory to all the parties concerned. The only part of the territory claimed for the Mosquito nation, he observed, which is of the least importance to Nicaragua, and that importance depends entirely upon its connection with the question of the proposed canal, is that part embracing the River St. John, and the territory claimed by Nicaragua from the Machuca Rapids to the sea. Now the Mosquito nation, according to every account which The United States' Government have been able to obtain of them, do not amount altogether to more than 1,000 souls ; and even this small number is stated to be on the decrease. The cession, therefore, of this portion of the territory claimed for them by England for a reasonable indemnity, to be arranged and paid by England herself if Nicaragua refused to pay it, and their settlement in some other part of the country beyond the limits claimed by Nicaragua, under the guarantee and protection of Her Majesty's Government, might, Mr. Clayton hoped, be easily effected without the smallest injury to the Mosquitos, or any real abandonment of their interests by the British Government. Nicaragua might, in perfect accordance with her claim under the Spanish title, which The United States hold to be valid, proceed, as The United States have often done in similar cases, to extinguish the Indian title by granting an annuity to the Indians ; and as it is clear that the real object of Nicaragua in maintaining that claim is involved in considerations regarding the project for a canal across the isthmus, there can be little doubt that that point once satisfactorily settled she would cheerfully accede to such terms.

Mr. Clayton then recurred to the embarrassing situation in which the friends of this great enterprise would be placed should Her

Majesty's Government continue to oppose the Mosquito claim to the arrangement now proposed. The existence of the Treaty signed by Mr. Hise, and the privileges conferred by it on it, by The United States, are, he said, no secrets in this country. The universal feeling would be for its adoption; and a reason for clamouring for its instant ratification would be, that this might defeat what would be represented and believed to be a plan on the part of Great Britain to secure for herself a monopoly of the most eligible passage between the 2 oceans. The Executive Government of The United States would be without excuse for withholding the Treaty from the consideration of the Senate; and it is impossible to doubt, under the influence of the public excitement, which there is already an evident design to rouse with regard to this question, what would be the result. On the other hand, were the administration enabled to submit to Congress an arrangement such as is now proposed, and in which Her Majesty's Government would be in friendly concurrence with The United States' Government for this great work, every pretext would be taken away from the most unreasonable, and every chance of future misunderstanding between the 2 Governments avoided. Mr. Clayton considered that this question could never be settled amicably unless both Great Britain and The United States withdrew all claim to the territory of Nicaragua and Costa Rica. If either of the 2 Governments held possession of the country on either side of the canal, it would hold an inadmissible advantage over the other; in a word, said he, let us both abandon all claim to what is called Nicaragua and Costa Rica, and lend the countenance of both Governments to the construction of a ship-canal if it be found to be practicable; if you refuse this offer, we are driven in self-defence to adopt the Treaty.

In the whole of these observations General Taylor cordially concurred; the attempts, he remarked, which were making and would be made in many quarters to produce a misunderstanding or a collision between the 2 Governments on this matter were, in his opinion, only to be met by perfect frankness and fair-dealing; it was his earnest wish, therefore, that the matter should be laid in this spirit before your Lordship, and he expressed an anxious wish that the question might be promptly arranged equally to the honour and advantage of both countries.

Viscount Palmerston, G.C.B.

JOHN F. CRAMPTON.

No. 3.—Mr. Crampton to Viscount Palmerston.—(Rec. October 29.)
 (Extract.) *Washington, October 15, 1849.*

MR. CLAYTON yesterday informed me that he had received intelligence from Mr. Squier, The United States' Minister lately sent to Nicaragua, that Mr. Squier had, in the early part of last month, con-

cluded a Treaty with that State regarding the construction of an interoceanic canal across the territory.

This Treaty, Mr. Clayton remarked, although it contains some articles of which he disapproves, is less objectionable than that signed by Mr. Hise with the Nicaraguan Government for the same purpose to which I alluded in my despatch to your Lordship of the 1st instant.

The Government of The United States will, however, he said, suspend their decision with regard to the present Treaty, as well as with regard to that signed by Mr. Hise, until they shall have an opportunity of learning the views of Her Majesty's Government with regard to the proposals and considerations upon the subject to which these Treaties relate, which I had the honour of conveying to your Lordship in my above-named despatch.

A copy of the Treaty, Mr. Clayton added, will be transmitted to Mr. Laurence, for communication to your Lordship, by the packet of the 24th instant, together with an instruction to that Minister to lay the "whole thought" of The United States' Government in regard to it before Her Majesty's Government.

I have now the honour of inclosing a newspaper which contains the copy of a fresh contract which has been formed between an American Company and the Nicaraguan Government for the construction of the canal in question, which Mr. Clayton informs me was drawn up under the supervision of Mr. Squier, and in accordance with the provisions of the Treaty which he was engaged in negotiating.

The general tenour of this contract is in accordance with the instructions given to Mr. Squier on the subject, more particularly Article XXXVI, which stipulates that vessels of all nations shall be permitted to pass through the proposed canal, subject to no higher rates or charges than those imposed on vessels of The United States. Some of the stipulations, however, Mr. Clayton observed, were objectionable, particularly that of the preamble, which seems to confine the directorship of the Company to American citizens; and that of Article IX, which requires that a majority of the shareholders shall be American citizens. The United States' Government, he said, wish to see nothing of an exclusive character in any part of the arrangement. Mr. Clayton conceives, however, that should the joint action of Her Majesty's Government with the Government of The United States in the matter be once secured, there can be little difficulty in remodelling the contract as to these points, or as to such others as may be agreed upon.

I take this opportunity of inclosing a newspaper containing a report of Mr. Squier's reception by the Nicaraguan Government, and of the speech which he delivered on that occasion.

With regard to the allusion made by Mr. Squier to Mr. Monroe's

doctrine respecting the colonisation of any part of the American continent by a European Power, Mr. Clayton remarked that the present administration of The United States in no way adopted that principle, and that Mr. Squier was not instructed to make any allusion to it in his communications with the Nicaraguan Government.

Viscount Palmerston, G.C.B.

JOHN F. CRAMPTON.

No. 4.—Mr. Abbott Laurence to Visc^t. Palmerston.—(Rec. Nov. 8.)
MY DEAR LORD, *United States' Legation, November 8, 1849.*

As I told you in our conversation this morning, I have been instructed by the President to inquire whether the British Government intends to occupy or colonise Nicaragua, Costa Rica, the Mosquito Coast so called, or any part of Central America. I have also been instructed to inquire whether the British Government will unite with The United States in guaranteeing the neutrality of a ship-canal, railway, or other communication to be open to the world, and common to all nations. May I beg the favour of an answer to these inquiries, and to express the wish that I may receive it before 2 o'clock to-morrow, so as to send it out by this week's packet?

I am aware that Nicaragua is in dispute with Costa Rica on the one hand about her boundary, and with the Mosquitos on the other about their sovereignty. I have no purpose now to enter upon those questions; I only desire to know the views of Her Majesty's Government on the questions I have proposed. At the same time, I cannot but think that Great Britain and The United States can heal these breaches by kind offices; and that the Indians can be provided for in a manner satisfactory to Nicaragua and Great Britain, and far better for them than the equivocal position they now occupy.

I need not assure your Lordship that The United States have no ulterior purposes in view. They frankly disclaim all intention of obtaining territory in Central America; and I have no doubt would be willing to mutually agree with Great Britain neither to settle, annex, colonise, or fortify that country. I have, &c.

Viscount Palmerston, G.C.B.

ABBOTT LAURENCE.

No. 5.—Viscount Palmerston to Mr. Crampton.

SIR, *Foreign Office, November 9, 1849.*

I HAVE received your despatch of the 1st ultimo, reporting the substance of your conversation with the Secretary of State and the President of The United States, on the question of the rights of the Mosquito nation as connected with the project for making a communication between the Atlantic and Pacific Oceans by the River St. John and the Lakes of Nicaragua.

I have to state to you that, as it appears that Mr. Laurence is instructed to make some communication on this matter to Her Majesty's Government, I postpone giving you any instructions about it until that communication shall have been received. But in the meantime I have to inform you that I had some conversation on this subject with Mr. Rives, as he passed through London on his way to Paris.

What Mr. Rives said to me was much to the same effect as what the President and Mr. Clayton said to you. I said to Mr. Rives, in reply, that the British Government have no selfish or exclusive views in regard to a communication by canal or railway across the isthmus from sea to sea; that Her Majesty's Government wish that any undertaking of this sort which they may have the means of contributing to facilitate should be equally open to and available for all the nations of the world, and should be a highway of commerce for all men who may have occasion to use it; and I said that if The United States' Government had any arrangement to propose which would have the effect of placing this line of communication out of the reach of disturbance by any conflicts which from time to time may happen between nations who may find themselves unfortunately engaged in war, Her Majesty's Government would be glad to receive any such proposal, and would take it into their most attentive consideration; but I said that I entirely concurred with Mr. Rives, and with what I understood him to represent as being the opinion of The United States' Government, that no one country ought to endeavour to monopolise any such line of communication to the exclusion and detriment of other nations. I am, &c.

J. F. Crampton, Esq.

PALMERSTON.

No. 6.—Viscount Palmerston to Mr. Crampton.

SIR,

Foreign Office, November 13, 1849.

I TRANSMIT herewith, for your information, a copy of a letter which I have received from Mr. Laurence, Minister of The United States at this Court, together with copies of 2 letters which I have addressed to him in reply, respecting the views and intentions of Her Majesty's Government in regard to Central America and Mosquito, and respecting the proposed communication between the Atlantic and Pacific Oceans. I am, &c.

J. F. Crampton, Esq.

PALMERSTON.

No. 7.—Viscount Palmerston to Mr. Abbott Laurence.

MY DEAR SIR,

Foreign Office, November 13, 1849.

I HAVE received your letter of the 8th instant, written in

accordance with what passed in our conversation in the morning of that day, and I hasten to reply to your inquiries.

With regard to the first part of your inquiry, I beg to say that Her Majesty's Government do not intend to occupy or colonize Nicaragua, Costa Rica, the Mosquito coast, or any part of Central America.

With regard to Mosquito, however, a close political connection has existed between the Crown of Great Britain and the State and territory of Mosquito for a period of about 2 centuries, but the British Government does not claim dominion in Mosquito.

With regard to the second part of your inquiry, I beg to say that Her Majesty's Government will feel great pleasure in combining and co-operating with the Government of The United States for the purpose of assisting the operations of any company which may be formed with a view to establish a commercial communication by canal or railway, between the Atlantic and Pacific, across the isthmus which divides the northern from the southern portion of the American continent; both by obtaining local security for the works while in progress, and when completed and in use, and by placing such communication, through the means of political arrangements, beyond the reach of molestation, disturbance, or obstruction, by reason of international disputes which may at any time unfortunately arise; upon the condition, moreover, that such communication should at all times be open and accessible for the commerce of all nations, upon equal terms for all.

Her Majesty's Government would feel that the union of 2 great Powers for the accomplishment of an object of such general utility, and tending so much to assist the diffusion of civilization, and to strengthen the foundations of international peace, would be as honourable to the Powers concerned in such an arrangement, as the result would be advantageous to the commercial interests of the world at large.

With regard to the port of Greytown, at the mouth of the River St. John, Her Majesty's Government would fully undertake to obtain the consent of Mosquito to such arrangements as would render that port entirely applicable, and on the principles above mentioned, to the purposes of such a sea-to-sea communication.

You advert in your letter to the differences which have arisen between the Republics of Nicaragua and Costa Rica in regard to boundaries and to some other matters, and you suggest that the joint influence of Great Britain and of The United States should be employed to heal, by their good offices, the breaches which have interrupted the friendly relations of those 2 contiguous States. Her Majesty's Government would upon every account be glad to join with The United States in effecting such a reconciliation, and the

more so, because the cordial co-operation of both those Republics would be essential for the satisfactory completion of the contemplated undertaking.

I have only further to say, that Her Majesty's Government have received with great satisfaction your assurance that The United States have no ulterior purposes in view in regard to these matters; that they frankly disclaim all intention of obtaining territory in Central America; and that you have no doubt that they would be willing to enter into a mutual agreement with Great Britain neither to settle, annex, colonize, nor fortify that country. And I can with equal frankness assure you, that into such a mutual agreement Her Majesty's Government would be equally ready to enter.

I am, &c.

A. Laurence, Esq.

PALMERSTON.

No. 8.—Viscount Palmerston to Mr. Abbott Laurence.

MY DEAR SIR,

Foreign Office, November 13, 1849.

I WAS unwilling, in my answer to your letter on the 8th instant, to touch upon any other topic than those to which you had therein adverted; but I cannot refrain from adding a few lines in this separate letter to repeat that which in our conversation I said to you upon the subject of the Treaty which Mr. Squier is said to have concluded with the Government of Nicaragua.

If our information is correct, one object of that Treaty, if ratified, would be to engage The United States to endeavour to compel the British Government to deliver up Greytown to the Nicaraguan Government.

I am sure it is needless for me to point out to you that such an engagement would involve The United States in an unprovoked aggression towards Great Britain; and I think I am entitled to say, that there never was a time when the British Government had less reason to expect so hostile a proceeding on the part of The United States whether we look on the one hand, to the friendly policy of Great Britain towards The United States, and the great measures which the Parliament of Great Britain has of late passed for opening the markets of this country to the produce, and the ports of this country to the ships of The United States; or whether we look, on the other hand, to the friendly assurances which we have so repeatedly received from The United States' Government, and of which you yourself have so recently and so frankly been the official, and, to us, most satisfactory, organ.

I am, &c.

A. Laurence, Esq.

PALMERSTON.

No. 9.—Viscount Palmerston to Mr. Abbott Laurence.

SIR,

Foreign Office, November 19, 1849.

WITH reference to our recent correspondence about a passage by railway or canal between the Atlantic and Pacific Oceans, I have the honour to observe to you that the geographical features and the surface-conformation of the country which forms the isthmus between North and South America, seem as yet to be very imperfectly known; and the consequence is, that there are various and conflicting opinions as to which is the part of that long tract of country which affords the greatest natural facilities for the establishment of such a communication. But whenever such a communication may be established, and whatever its kind may be, whether a canal or a railway, there can be no doubt that it will cost a considerable sum of money; and if the capitalists of Great Britain and of The United States are to be invited by the joint action of the 2 Governments to embark their money in such an undertaking, it would seem desirable that the best spot should be chosen for the execution of the undertaking.

Her Majesty's Government would therefore wish to know, whether the Government of The United States would agree with them in thinking that, before any private companies are encouraged to fix upon any particular point for their operations, it would be useful that the 2 Governments should combine for the purpose of effecting a joint examination of the isthmus from end to end, with a view to ascertain which are the several points where a sea-to-sea communication could be made, and which of those points seem best adapted for a canal and which for a railway.

Such an examination would probably not occupy any great length of time because inland investigation could be required only at places where the map, and the configuration of the coast, would lead to the supposition—1st, that a tolerably level passage might be found from sea to sea; and 2ndly, that sufficient harbour accommodation might be found or constructed on each side of the isthmus.

The examination might be carried on by surveying ships and parties working on each side of the isthmus at the same time, and their instructions might be so framed that they might, to a certain extent, co-operate or communicate with each other.

The surveying party on each sea would, in such a case, be a mixed one, consisting of British and of United States' surveyors, so that each Government would have 2 parties at work, the one in the Atlantic, the other on the Pacific side of the isthmus.

I am, &c.

A. Laurence, Esq.

PALMERSTON,

No. 10.—Mr. Crampton to Viscount Palmerston.—(Rec. November 19.)

MY LORD,

Washington, November 4, 1849.

I HAD the honour of forwarding to your Lordship with my despatch of the 15th ultimo, the copy of a contract between an American Company and the Government of Nicaragua for the formation of an Interoceanic Canal by way of the River St. John and the Lakes of Nicaragua, which contract was drawn up under the supervision of Mr. Squier, in accordance with the provisions of the Treaty which he was engaged in negotiating with the Nicaraguan Government; and I stated that Mr. Clayton, although he approved of the general tenor of the contract, thought that some of the Articles were objectionable from being of an exclusive character, particularly those which require that all directors of the Company and a majority of the shareholders shall be American citizens.

Mr. Clayton now informs me that he has had a conference with the 2 principal directors of the Company in question; and that, as he anticipated, he finds that no objection will be raised on their part so to modify the provisions of the contract as to remove from it anything of an exclusive nature.

These gentlemen, Mr. Clayton remarked, far from wishing to adopt any regulations which might have the effect of deterring British capitalists from embarking in this great undertaking, are most anxious to secure their co-operation; for the American capitalists are sensible that without such co-operation there would be but small prospect of the ultimate success of the enterprise.

I have, &c.

Viscount Palmerston, G.C.B.

JOHN F. CRAMPTON.

No. 11.—Mr. Abbott Laurence to Visc^t. Palmerston.—(Rec. Nov. 24.)

MY LORD,

United States Legation, November 22, 1849.

WITH reference to your note of the 19th instant, inquiring "whether the Government of The United States would agree with them [Her Majesty's Government] in thinking that before any private companies are encouraged to fix on any particular point for their operations, it would be useful that the 2 Governments should combine for the purpose of effecting a joint examination of the isthmus from end to end with a view to ascertain which are the several points where a sea-to-sea communication could be made, and which of these 2 points seem best adapted for a canal and which for a railway;" I would state in reply that I have no instructions on that point.

At the same time I would repeat what I have verbally brought to your Lordship's notice, that The United States desire to see completed at an early day great commercial highways from ocean to

ocean, protected by ample guarantees of neutrality from the selfishness of great and the factiousness of small nations, and open alike to all. And as a nation of practical men, they are sensible that such highways can only be constructed at great cost, and they cannot but wish that the capital should be expended on the plans best calculated for the end sought to be accomplished.

Your Lordship is doubtless aware, that from the general information possessed on this subject, the sentiment of the world has pointed more particularly to 2 routes in the long tract of country connecting Mexico with South America, as the best suited for such highways; the one at the very neck of the isthmus, substantially following the course of the Chagres, and touching the Pacific at or near Panama; the other by the St. Juan River and Nicaragua Lake, and reaching the western coast either by way of Lake Leon, or at some more southern point.

It may not be known to you that the right to construct such highway across the first of these routes has been granted to a company formed originally in The United States, but since completed by the subscription of a large amount of British capital; that they have surveyed and located a railway from ocean to ocean; that they have actually closed many contracts for its construction, and (I have heard) among others that for the iron; and that The United States have guaranteed the neutrality of their road, and desire England and the other great nations of the Globe to join in the guarantee. This company is composed of men, many of them known to me, whose integrity, mind, experience, and wealth guarantee the successful completion of the work. Setting aside the consideration that the location of the road is already substantially decided, it must, I think, strike your Lordship, as it does me, that intelligent men, investing their own capital, will make a better, quicker, and cheaper survey than Government agents.

As to the other route, which would seem to be the better of the two for a canal, and to possess for the commerce of the East greater advantages from its more northern position and more western outlet on the Pacific, you will perceive by the inclosures that the right to construct this has been granted to a private Company by the Government of Nicaragua. The disputes between the small Republics of the isthmus on the one hand, and the conflicting claims of Nicaragua and Mosquito on the other, interpose obstacles in the way of completing this great work.

In a former interview I endeavoured to acquaint your Lordship with the firmly entertained views of The United States on these points, and I refrain from presenting them in this connection, both because I do not wish to embarrass the question by discussion, if it can be avoided, and because I am led to believe, from the desire

manifested by Her Majesty's Government to aid in the construction of free mediums of communication with no exclusive privileges, and from the frankness with which they have disclaimed any intention of establishing either military or commercial posts on that coast, that some amicable means may be found for removing the obstacles in the way of what both nations profess to desire. In that event it seems to me that a private company of responsible men, formed under the protection of England, The United States, and such other nations as choose to join in the guarantee of neutrality, on the same basis as the railway company (which I am assured would be the case), would be the best agent as well for the preliminary survey as the construction of the work.

There can be no doubt, I think, that the best interests of mankind will be subserved if the combined enterprise and wealth of the world at large build this as well as the other work, unassisted by Government aid farther than in the guarantee of its safety and neutrality.

I hope at a very early day after your Lordship's return to town, to have a full and free conversation on this subject. Meanwhile I inclose for your consideration various copies which I have been instructed to furnish you with, and have, &c.

Viscount Palmerston, G.C.B.

ABBOTT LAURENCE.

(Inclosure 1.)—*Article XXXV in a Treaty between the United States of America and the Republic of New Granada.—Signed at Bogotá, December 12, 1846. [Vol. XXXVI. Page 994.]*

(Translation.)

1. For the better understanding of the preceding Articles it is, and has been stipulated between the High Contracting Parties, that the citizens, vessels, and merchandize of The United States shall enjoy in the ports of New Granada, including those of the part of the Granadian territory generally denominated the Isthmus of Panamá, from its southernmost extremity until the boundary of Costa Rica, all the exemptions, privileges, and immunities concerning commerce and navigation, which are now or may hereafter be enjoyed by Granadian citizens, their vessels and merchandize; and that this equality of favours shall be made to extend to the passengers, correspondence, and merchandize of The United States, in their transit across the said territory, from one sea to the other. The Government of New Granada guarantees to the Government of The United States, that the right of way or transit across the Isthmus of Panamá upon any modes of communication that now exist, or that may be hereafter constructed, shall be open and free to the Government and citizens of The United States, and for the transportation of any articles of produce, manufactures, or merchan-

dize, of lawful commerce, belonging to the citizens of The United States; that no other tolls or charges shall be levied or collected upon the citizens of The United States, or their said merchandize thus passing over any road or canal that may be made by the Government of New Granada, or by the authority of the same, than is, under like circumstances, levied upon and collected from the Granadian citizens; that any lawful produce, manufactures, or merchandize belonging to citizens of The United States thus passing from one sea to the other, in either direction, for the purpose of exportation to any other foreign country, shall not be liable to any import duties whatever; or having paid such duties, they shall be entitled to drawback upon their exportation; nor shall the citizens of The United States be liable to any duties, tolls, or charges of any kind to which native citizens are not subjected for thus passing the said isthmus. And in order to secure to themselves the tranquil and constant enjoyment of these advantages, and as an especial compensation for the said advantages, and for the favours they have acquired by Articles IV, V, and VI of this Treaty, The United States guarantee positively and efficaciously to New Granada, by the present stipulation, the perfect neutrality of the beforementioned isthmus, with the view that the free transit from the one to the other sea may not be interrupted or embarrassed in any future time while this Treaty exists; and, in consequence, The United States also guarantee, in the same manner, the rights of sovereignty and property which New Granada has and possesses over the said territory.

(Inclosure 2.)—*Special Convention between the United States of America and the State of Nicaragua.—Guatemala, June 21, 1849.*

THE United States of America and the State of Nicaragua, having in view the grand design of opening and establishing, through the territories of the latter State, a passage and communication between the Carribean Sea and the Pacific Ocean, to facilitate the commerce between the 2 oceans, and to produce other great results; and designing to establish, regulate, and define the grants, rights, privileges, and immunities that shall appertain to each other, with reference to such great object, by means of a Treaty and special Convention. For the accomplishment of these desirable purposes, the President of The United States of America has conferred full powers on Elijah Hise, Chargé d'Affaires of the Government of the said States in Central America, and the State of Nicaragua hath likewise granted full powers to Señor Licenciado Don Buenaventura Selvas, Chargé d'Affaires of the Government of the said State of Nicaragua, near The United States' Legation in Central America,

who, after having exchanged their said full powers in due and proper form, have agreed, and do agree upon the following Articles :

ART. I. It is solemnly agreed between the 2 High Contracting Parties, that the State of Nicaragua doth grant to and confer upon the United States of America, or to a company of the citizens thereof, the exclusive right and privilege to make, construct, and build, within the territories of the said State of Nicaragua, through, or by the use and means of any of the streams, rivers, bays, harbours, lakes, or lands, under the jurisdiction or within the limits of said State, a canal or canals, a road or roads, either railways or turnpikes, or any other kind of roads, for the purpose of opening a convenient passage and communication (either by-land alone or water alone, or by both land and water, and by means, if deemed proper, of locks and dams, or by any other mode of overcoming and removing the obstructions to the navigation of the said rivers, lakes, harbours, &c.) between the Carribean Sea and the Pacific Ocean, for the transit and passage of ships, steamers, sailing-vessels, boats, and vessels of all kinds, as well as vehicles of every sort used for the transportation and conveyance of persons and property, and of goods, wares, and merchandize of every description ; and The United States, or the said company which may be formed by virtue of such charter as shall be made, as herein provided, shall be permitted, for the construction of said works, to procure, take, and obtain within the territories of Nicaragua all kinds of materials, such as stone, timber, earth, and whatever else may be necessary and proper for the said purposes, free of any charge, so far as the said materials may be procured on the lands belonging to said State.

II. The State of Nicaragua cedes and grants to The United States, or to a chartered company of the citizens thereof, as the case may be, absolutely, all the land that may be required for the location and construction of said canal or canals, road or roads, and which may be necessary for the erection of buildings and houses of every description, for the residence and accommodation of the engineers, superintendents, and labourers, and all others employed in the making and construction of said works, or in governing, managing, and controlling the same ; and also for the erection of all such necessary buildings as may be requisite and proper for the purpose of storing away therein all the tools, machines, materials, and property of every description, which may be required for use in the construction, repairing, preservation, and management of said works ; and should any portion of the lands or materials, or of the rivers, bays, ports, or their coasts or lakes, and their shores, which may be necessary and proper to be applied for the location and construction of the said works and its appurtenances, belong to individuals, the State of Nicaragua agrees and undertakes to extinguish the titles

thereto, and to procure the same upon a just principle of valuation for the aforesaid public works. The aforesaid cession and grant shall include a space of not less than 300 feet on each side of the lines of said works, and extending all along the whole length thereof, so that ample space be secured on the margins of said works for the convenient use thereof. The just value of such said lands and materials as may be private property at the date of this Treaty, will be paid for by said Company.

III. It is agreed that, if the Government of The United States shall decide not to undertake and construct the said works, then either the President or Congress thereof shall have the power and authority to frame, enact, and issue a charter, or Act of incorporation, containing such liberal provisions and such grants of rights and privileges (not inconsistent with the rights of the Contracting Parties herein secured) as may be necessary, convenient, or proper to effect the great object in view; which Charter and Act of Incorporation shall provide as follows:

1. That the Company which may be formed and organized under and by virtue of its provisions, shall be composed exclusively of the citizens of one or both of the Contracting Parties who may subscribe for and become the owners of the whole of the capital stock required for the said works. If, however, such citizens thus having the preference shall fail in due time to subscribe for and become the owners of the whole amount of the said capital stock, the residue thereof not taken by them may be taken, paid in, and owned by the Governments of both or either of the Contracting Parties, or by the Government or citizens of any other nation, kingdom, or country.

2. That said Company shall have the sole and exclusive right and privilege of constructing and owning such works as are herein named within the State of Nicaragua, provided the same are commenced and prosecuted within the time limited in this Convention.

3. It shall authorize the said Company to build and construct said canal or canals in such directions and of such width and depth as they shall in their discretion determine. And if the plan of roads is in part or in whole adopted, the route, width, kind, and number thereof shall be determined upon by said Company as they think proper.

4. It shall provide that said Company may make contracts, sue and be sued, as a corporation, with a given name and style, have a corporate seal, and engage in all such trade and business as may be proper and convenient, in promoting all the operations required for the attainments of the end in view.

5. It shall contain provisions adequate for the organization of said Company, it shall provide for the appointment of the officers,

agents, engineers, surveyors, superintendents, and other employes of said Company, and that said Company may make and adopt all its own by-laws and regulations, so that the same be not in conflict with the provisions of the Convention.

6. It shall provide that said Company may not only build and construct, but also alter, enlarge, repair, and reconstruct the said works as they may think proper, and that they may manage and govern the same, and manage and control the financial affairs of the corporation.

7. It shall provide that the said Company shall make annual reports to the Executive Governments of The United States and the State of Nicaragua, setting forth their receipts and expenditures, and the condition, operations, and affairs of the said Company.

8. It shall provide that the management of the affairs of said Company shall be vested and lodged in 9 managers; 5 of whom shall be appointed by the Company for a period of time and in a manner to be regulated by the said charter, and in like manner, 2 of the said managers shall be appointed by the President of The United States, and 2 by the Executive Chief of the State of Nicaragua, and that said 9 managers shall appoint their own President.

9. It shall provide that the Governments of either of the Contracting Parties may, through their Committees, freely examine and investigate the affairs, business, operations, and condition, financial and otherwise, of the said Company, and for such purpose such Committees may examine the books and papers of the Company and examine the officers thereof, and other witnesses on oath, and make reports thereon to their respective Governments.

10. It shall provide that said Company shall have the sole and exclusive right and privilege of conveying persons and passengers, and of conveying all steamers, ships, and vessels of all kinds by towage or otherwise, and of transporting in the vessels of others, or of their own, all property, goods, wares, and merchandize, over, through, and upon said navigable waters, canal or canals, road or roads, which shall be improved, made, or constructed, by them, at such rates, charges, duties, and tolls as the said Company may think proper to establish; except, however, that the said charter shall further provide that all the vessels of war, and all other public vessels of every description belonging to the Governments of the 2 Contracting Parties, as well also as all other vessels which may be engaged in the permanent or the temporary employment of the said Governments to transport their troops, munitions of war, their public property of all kinds, and to convey their public agents, Consuls, Ministers, and all their officers, civil and military, shall be permitted to have the free and unrestricted use of the said canal or canals, and navigable waters, and shall, if necessary and required,

be conveyed through the same by the said Company free of all cost and charge. Said charter shall further provide also, that the public mails of the Contracting Parties shall be conveyed and transported along and over the said works by the said Company, in their own vessels or vehicles, free of cost or charge: and the Contracting Parties agree and stipulate with all solemnity, that the aforesaid rights and privileges shall be enjoyed by each other perpetually, and that said charter shall provide accordingly. Said charter shall also further provide that the citizens of the 2 Parties shall enjoy and possess the right and privilege, with their vessels, goods, merchandize, and property, and persons, to pass and to convey through, upon, and over the said canals, roads, and navigable waters, on terms at least as favourable as the subjects or citizens of any other nation or country.

11. Said charter shall provide that the said works shall be commenced by said Company within 10 years after it shall be fully organised, under said charter, or otherwise forfeit their privileges. So likewise, if they shall, after said works are begun, declare their intention to abandon them, and cease to prosecute the same for 4 entire successive years intentionally.

IV. The charter aforesaid may contain such other provisions, and grants of rights and privileges, not in violation of, or in conflict with, any of the preceding or subsequent Articles of this Treaty, as may be deemed necessary, convenient, or proper for the objects in view, by either the President or Congress of The United States, and the same when framed and issued shall be approved and legalised by the Government of the State of Nicaragua; and no privileges or emoluments shall be granted, in said charter, to either of the Contracting Parties which shall not likewise be held and enjoyed, to the same extent, by the other.

V. The Government of The United States shall have the right to erect such forts and fortifications, at the ends and along the lines of said works, and to arm and occupy the same in such manner, and with as many troops, as may be deemed necessary by the said Government for the protection and defence thereof, and also for the preservation of the peace and neutrality of the territories of Nicaragua, to whom pertains equal rights, as inherent to her sovereignty.

VI. The public armed vessels, letters of marque, and privateers, and the private merchant and trading vessels belonging either to the Governments, or the subjects and citizens of nations, kingdoms, or countries with which either of the Contracting Parties may be at war, shall not, during the continuance of such war, be suffered or allowed to come into the ports at the terminations of said canals, nor be allowed to pass on or through the same, on any account whatever; neither shall the vessels of neutral nations, whether public or

private, be allowed to convey, by means of the said canal, articles contraband of war to or for the enemies of either of the Contracting Parties, or to or for other nations or States who may be at war with each other. Nor shall the vessels of countries which are engaged in war with each other, owned or employed, and armed by them, to carry on such war, during its continuance be allowed to pass through the said canal. The public and private vessels of all nations, kingdoms, and countries which are in peace with both the Contracting Parties and with each other, shall be permitted to enter said ports and to pass or be conveyed through the said canal, but they shall be subject, however, to the payment of such duties, charges, and tolls as may be established by the proprietors of the said works.

VII. The State of Nicaragua may of course exercise her right of erecting and establishing, anywhere on the routes or margins, or at the points of termination of said works, custom-houses, and to collect duties, according to her own laws, upon the goods, wares, and merchandise imported for sale or consumption into her territories by means of said works, and the State of Nicaragua may adopt and enforce all needful rules and regulations to prevent smuggling, or the introduction of contraband goods in her territories. But it is expressly agreed that the State of Nicaragua shall not impose, enforce, or collect any taxes, charges, or duties of any kind or amount on the persons (for passports), or on property, or on goods, wares, or merchandise of any class or kind on their travel or transit over, or for passing through her territories by means of said canals, roads, &c., provided the said property, goods, wares, and merchandise shall not be sold or not introduced for sale or consumption into the said State, but be exported to other States or countries.

VIII. The ports at the points of termination of said works shall be free to both the Contracting Parties and their citizens respectively, and their public and private vessels of all kinds shall enter and remain therein, and depart therefrom, and not be subjected to the payment of any port charges, tonnage duties, or other impositions whatever.

IX. The persons employed in the location and construction of said works, the owners thereof, and all their agents and officers, and employés of every sort, shall be under the special protection of the Governments of both the Contracting Parties, and they shall not be subject to any kind of taxation on their persons or property, nor shall they be required to pay any contributions, or to perform any civil or military duty or service whatever for either of the 2 Governments during their employment about the said works; and all provisions, including wines and liquors, and all merchandise imported into Nicaragua for their clothing and subsistence, shall be free and exempt from all duties and taxes, direct or indirect; and also such

articles, property, stores, tools, implements, and machines, &c., as may be required for surveys and explorations, and for locating and constructing said works, shall be imported into the State of Nicaragua, free from all taxes and duties whatever thereon; and the vessels employed in the importation of the said subsistence, clothing, tools, implements, &c., shall also be free and exempt from all port charges and tonnage duties on all the ports, rivers, lakes, or harbours on the coasts or within the limits of the State of Nicaragua, and entire liberty is to be enjoyed by the said Company to make full and complete surveys and explorations of the ports, bays, seas, lakes, rivers, and territories of Nicaragua, in order to the location of said works, and for the procurement of lands and materials necessary for the same, in which exploration and surveys Nicaragua, at her own expense, may participate if she thinks proper.

X. The State of Nicaragua grants and cedes to The United States, or to a Company to be chartered as herein provided, as the case may be, all the land within 2 leagues square belonging to the said State, and which may be unappropriated, at the date of this Treaty, at each point of the termination of said works, at the seas on each side, that is to say, 3 miles square on each side of both ends of said works, to serve for the sites of 2 free cities, which it is anticipated will hereafter be established at said points; the inhabitants of which free cities shall enjoy the following rights and immunities:—

1. They shall govern themselves by means of their own municipal Government, to be administered by officers, legislative, executive, and judicial, chosen and elected by themselves, according to their own regulations.

2. They shall have the right of trial by jury, in their own city courts.

3. They shall have the most perfect freedom of religious belief and of religious worship, public and private.

4. They shall not be required to pay any tax upon their real estate or other property, except such as may be imposed by the municipality, and collected for the city treasury, and to be used and applied for the benefit of the said cities.

5. They shall not be required to perform any military services except for the defence of the said cities in which they may reside.

6. The said cities will of course be under the qualified dominion and government of the State of Nicaragua; not to be exercised in any manner, however, in violation of their rights and immunities as herein specified; and said free cities shall be under the protection of the Governments of both the Contracting Parties.

XI. The State of Nicaragua agrees that The United States shall have, possess, and enjoy for ever the following rights and privileges;

that is to say, the right and privilege to pass, convey, transport, and send, through all or any part of the territories and dominions of the State of Nicaragua, on land or water, from ocean to ocean, by means of her ports, bays, rivers, lakes, and roads, troops, infantry, or cavalry, all kinds of arms, artillery, and munitions of war of all kinds, her public property of every description, public officers, civil and military, consuls, ministers, despatch agents, her public mails and mail agents, and all other employés of the Government of the United States of America; and the same shall all and each be permitted to pass, be sent, and be conveyed through said State in any manner, as aforesaid, in the public armed vessels of The United States, and in all such other vessels or vehicles, public or private, which may be in the temporary or permanent employment of the Government of The United States for any of the purposes aforesaid, or in any other way, free from all cost, and exempt from all taxes, duties, imposts, charges, or exactions of any kind whatever, either on the persons, property, vehicles, vessels aforesaid; and all the aforesaid privileges, and the said free rights of way and of transit, shall be held, used, and enjoyed by the United States of America (but not by any other nation, State, or Government except the State of Nicaragua) without cost or charge, and freely, whether the same be made through the dominions and territories of Nicaragua as they now exist, or whether the said troops, munitions of war, public officers, agents, employés, mails, public property, vehicles, and vessels, &c., shall be sent, transported, or conveyed by means of improved navigable rivers, canals, or turnpikes, or railroads, or any other public improvements which may be hereafter made in the State of Nicaragua, either by the Government or citizens of the Contracting Parties, or by the Governments, citizens, or people of any other nation, kingdom, or country. And the citizens of The United States shall have and enjoy all the rights and privileges of travel, passage, transit, and conveyance for themselves and their property and vessels of all kinds, through the territories and dominions of the State of Nicaragua as they now exist, or through such canals or roads, railways or turnpikes, or other improvements as may be hereafter made in said State upon terms and conditions, in every particular, as favourable as those enjoyed by the citizens of Nicaragua, or by the citizens of any other nation, kingdom, or country.

XII. In consideration of the premises as set forth in the foregoing 11 Articles, the United States of America doth solemnly agree and undertake to protect and defend the State of Nicaragua in the possession and exercise of the sovereignty and dominion of all the country, coasts, ports, lakes, rivers, and territories that may be rightfully under the jurisdiction and within the just and true limits

and boundaries of the said State; and when the circumstances and condition of the country may require it, The United States shall employ their naval and military force to preserve the peace and maintain the neutrality of the said coasts, ports, lakes, rivers, and territories, and to hold and keep the same under the dominion and sovereignty of the Government of the State of Nicaragua, or of the Government of such State or political community of which Nicaragua may voluntarily become a member, or with which, of her own accord, she may hereafter be identified: provided, however, that the said sovereignty and dominion of the State of Nicaragua so guaranteed as above shall not be held, maintained, or exercised by said State in any such manner as to conflict or to be inconsistent with the rights and privileges herein secured to The United States and her citizens. And to prevent all misunderstanding, it is expressly stipulated that The United States are not bound, nor do they undertake to aid, assist, or support Nicaragua in offensive wars, or wars of aggression waged and carried on by said State with foreign Powers, or with the neighbouring States outside of her just limits and beyond the territories rightfully within her jurisdiction; but the Contracting Parties agree and undertake that, if necessary, the naval and military forces, and the entire means and resources of both the Contracting Parties, shall be employed to put down all wars and bloodshed arising therefrom, and to suppress all violations of the peace, and interruptions of the neutrality of the said State of Nicaragua; and for further explanation, it is understood that if the State of Nicaragua should become involved in a war with any foreign Power or neighbouring State within her own borders, to defend the territories rightfully belonging to her, or to recover such territories wrongfully wrested from her, The United States engage to aid and defend Nicaragua in carrying on such war within her rightful limits; provided, however, that such war is just, and provided, moreover, that if peace is prevailing in the State of Nicaragua, no wars or hostilities shall be first commenced in said State by either of the Contracting Parties without previous friendly consultations, and unless with the consent of both their Governments, given according to their laws and constitutions respectively.

XIII. The Contracting Parties in negotiating this Treaty have had in view the contract entered into between the State of Nicaragua, through their Commissioner Jose Tenedad Miñoz, and a certain company styled "Compañia de Transito de Nicaragua," composed of certain persons named Willard Parker, Simeon H. Ackerman, Asher Kurshecat, and David J. Brown, through the said David J. Brown as their agent; which contract was executed and signed by said Commissioner and agent on March 14, 1849, and ratified by the legislative power of the State of Nicaragua on March 6, 1849, and

approved by the executive power of said State on the 17th March, 1849. Now in view of this contract, it is further agreed as follows :

1. If the above-named Company shall accede to this Treaty in all its parts, or if they shall have voluntarily abandoned their contract, or if they shall forfeit their right under said contract by failing to perform and execute the terms and conditions thereof in due time, then this Treaty shall remain and be valid in all its parts.

2. But if the said Company shall not accede to this Treaty in all its parts, and if they shall not abandon or forfeit their said contract, but if they shall execute the same and comply with its terms, and build the said works all in the time required, then in such case this Treaty in all its parts wherein the State of Nicaragua grants to The United States, or to a company to be chartered by the President or Congress thereof, the exclusive privilege to be the constructors and owners of said works shall be void and of no force or effect.

3. Nevertheless, in such case as is set forth in the 2nd Section next preceding, if said Company shall accede to Articles V, VI, XI, and VIII of this Treaty, and shall consent and agree that the United States of America, and the citizens thereof, shall have and enjoy all the rights and privileges therein granted to them, and as defined also in the 10th Section of Article III, then, in such case, the above-named Articles V, VI, VIII, and XI of the Treaty, as also Article XII thereof, shall be valid and obligatory between the Contracting Parties.

4. But if, in such case existing, as is set forth in the 2nd Section above, the said Company shall refuse to accede or agree to the said Articles V, VI, VIII, and XI hereof, as specified in the preceding 3rd Section, then this Treaty shall be altogether void and of no force or effect whatever. But the Contracting Parties, anticipating that said Company, being satisfied that the great enterprise in view cannot succeed unless under the protection of and patronage of the 2 Governments, will concur and co-operate with them in the promotion thereof, they are assured that this Treaty will meet their cordial approbation, and that it will be fully acceded to by them.

The present special Convention between the United States of America and the State of Nicaragua shall be approved and ratified by the President of the United States of America, by and with the advice and consent of the Senate thereof, and by the direction of the State of Nicaragua with the consent of the Legislative Chambers thereof, and the ratifications shall be exchanged in the city of Washington, Santiago de Managua, or Leon, within the term of 2 years, counting from this date.

In faith whereof, we, the Plenipotentiaries of the United States of America and of the State of Nicaragua, have signed and sealed these presents in the city of Guatemala, on the 21st day of June, in the year of our Lord 1849, in the 73rd year of the independence of

the United States of America, and in the 28th year of the independence of the State of Nicaragua.

(L.S.) ELIJAH HISE.

(L.S.) BUENAVA. SELVAS.

(Inclosure 3.)—*Extract from the Treaty between The United States and Nicaragua relating to the proposed Canal.* [Sept 3, 1849.]*

ART. XXXV. It is, and has been stipulated by and between the High Contracting Parties:

1. That the citizens, vessels, and merchandize of The United States shall enjoy, in all the ports and harbours of Nicaragua upon both oceans, a total exemption from all port-charges, tonnage, or anchorage duties, or any other similar charges now existing, or which may hereafter be established, in manner the same as if said ports had been declared free ports. And it is further stipulated, that the right of way or transit across the territories of Nicaragua, by any route or upon any mode of communication at present existing, or which may hereafter be constructed, shall at all times be open and free to the Government and citizens of The United States, for all purposes whatever; and no tolls, duties, or charges of any kind, shall be imposed upon the transit, in whole or part, by such modes of communication, of vessels of war or other property belonging to the Government of The United States, or on public mails sent under the authority of the same, or upon persons in its employ, nor upon citizens of The United States, nor upon vessels belonging to them; and it is also stipulated, that all lawful produce, manufactures, merchandize, or other property belonging to citizens of The United States, passing from one ocean to the other, in either direction, for the purpose of exportation to foreign countries, shall not be subject to any import or export duties whatever; or if any citizens of The United States having introduced such produce, manufactures, or merchandize into the State of Nicaragua for sale or exchange shall within 3 years thereafter determine to export the same, they shall be entitled to drawback equal to four-fifths of the amount of duties paid upon their importation.

2. And inasmuch as a contract was entered into on the 27th day of August, 1849, between the Republic of Nicaragua and a company of citizens of The United States, styled "The American Atlantic and Pacific Ship-Canal Company," and in order to secure the construction and permanence of the great work thereby contemplated, both High Contracting Parties do severally and jointly agree to protect and defend the above-named company, in the full and perfect enjoyment of said work, from its inception to its completion, and after its completion, from any acts of invasion, forfeiture, or violence,

* Page 1052.

from whatsoever quarter the same may proceed; and to give full effect to the stipulations here made, and to secure for the benefit of mankind the uninterrupted advantages of such communication from sea to sea. The United States distinctly recognizes the rights of sovereignty and property which the State of Nicaragua possesses in and over the line of said canal, and for the same reason guarantees positively and efficaciously the entire neutrality of the same, so long as it shall remain under the control of citizens of The United States, and so long as The United States shall enjoy the privileges secured to them in the preceding section of this Article.

3. But if by any contingency the above-named "American Atlantic and Pacific Ship-Canal Company" shall fail to comply with the terms of their contract with the State of Nicaragua, all the rights and privileges which said contract confers shall accrue to any company of citizens of The United States which shall, within 1 year after the official declaration of failure, undertake to comply with its provisions, so far as the same may at that time be applicable; provided the company, thus assuming said contract, shall first present to the President and Secretary of State of The United States, satisfactory assurances of their intention and ability to comply with the same; of which satisfactory assurances the signature of the Secretary of State, and the seal of the Department, shall be complete evidence.

4. And it is also agreed on the part of the Republic of Nicaragua that none of the rights, privileges, and immunities guaranteed by the preceding Articles, but especially by the 1st section of this Article, conceded to The United States and its citizens, shall accrue to any other nation, or to its citizens, except such nation shall first enter into the same Treaty stipulations for the defence and protection of the proposed great Interoceanic Canal which have been entered into by The United States, in terms the same with those embraced in section 2 of this Article.

(*Inclosure 4.*)—*Contract between Nicaragua and the Canal Company.*
Signed at Leon, August 27, 1849.

THE Supreme Director of the State of Nicaragua, and "The American Atlantic and Pacific Ship-Canal Company," composed of Cornelius Vanderbilt, Joseph L. White, Nathaniel H. Wolfe, and their associates, being always citizens of The United States, desiring to settle the terms of a contract for facilitating the transit across the Isthmus of Nicaragua from the Atlantic to the Pacific Oceans, by means of a ship-canal or railroad, have appointed as Commissioners on the part of the Director of the State of Nicaragua, Messrs. Hermenegildo Zepeda and Gregorio Juarez, and on the part of the said company Mr. David L. White, with full powers to arrange and conclude a contract for the above-named purposes; which Commis-

sioners having exchanged their respective powers, have agreed upon and concluded the following Articles :

ART. I. The State of Nicaragua grants to the said Company the exclusive right and privilege of constructing a ship-canal across its territory, by a single route, and at its own expense, from the port of St. John's of Nicaragua, or any other more feasible point on the Atlantic, to the port of Realejo, Gulf of Amapala, or Fonseca, Tamorinda, St. John's of the South, or any other point on the Pacific Ocean that the engineers of the Company may decide upon, by means of the St. John's river, Lake Nicaragua, River Tipitapa, Lake of Leon, or any other rivers, lakes, waters, and lands situated within its territory, with the object of connecting the 2 oceans, and to make use of, for its construction and navigation, said rivers, lakes, waters, and lands, both public and private. And the State also grants to the Company the exclusive right to the administration, management, and control of the said canal, according to the following Articles :

II. The dimensions of the canal shall be such as may be necessary for the passage of vessels of all sizes, and the point at which it shall terminate on the Pacific, in the event that the engineers of the Company shall decide upon 2 or more points as equally practicable, shall be that one most consistent with the mutual interests both of the State and the Company.

III. The Company binds itself to construct, at its own expense, in the harbours at the extremities of the route of said canal, custom-house buildings of the necessary capacity for the use of the State and Company.

IV. The exclusive rights and privileges herein granted to the said Company by the said State, shall be enjoyed by the same for the fixed period of 85 years, counted from the day in which the canal shall be completed and put in use.

V. The Company hereby agrees to pay to the said State for the said grant the following sums of money, namely :

First. Ten thousand dollars by draft on the said Company in the city of New York, as soon as this contract shall be ratified by the Legislature of the State.

Secondly. Ten thousand dollars at the expiration of one year from this same date ; and 10,000 dollars each year thereafter until the completion of the said canal ; the above sum to be paid to the State in the city of Leon, or in the city of New York, as the State may elect. Also the said Company makes a free donation to the said State of 200,000 dollars of stock in the enterprise, which shall be delivered to the State as soon as the certificates of stock shall be distributed by the Company.

VI. Said State shall receive for its proportion of the income of said canal, after the same shall be put in use, the following interests,

namely: for the first 20 years, 20 per cent. annually out of the net profits, after deducting therefrom the interest of the capital employed in its construction at the rate of 7 per cent. per annum, and 25 per cent. each year thereafter of said net profits, after deducting the said 7 per cent., until the expiration of the full period of the term hereinabove granted. And the State shall also receive 10 per cent. out of the net profits, without any deduction of interest, of any route which the Company may establish between the 2 oceans, whether it be by railroad, or carriage-road, or by any other means of communication, during the 12 years herein granted for the construction of said canal.

VII. The said Company shall be bound to make and present an annual report and account to the Government of Nicaragua, setting forth the receipts and expenditures, as well as a statement of the condition of the works of the canal; which report shall be certified by the proper officers of the Company. The State, however, shall have the right, through any Commissioners which it may appoint for that purpose, to inspect and examine at any time the books of the Company, to satisfy itself of the correctness of the said receipts and expenditures.

VIII. It is hereby stipulated that the State of Nicaragua shall have the privilege of taking stock in the said canal, to the amount of 500,000 dollars, within 1 year from the date of the ratification of this contract, which it may distribute, as it may deem proper, among any of its native citizens, or the citizens of the adjoining States, upon giving notice to the Company of such intention through The United States' Consul in the city of Leon.

IX. It is further stipulated that a majority of the stock of said canal shall always be owned by citizens of The United States; in evidence of which the stock-books of said Company shall always be open to inspection at the principal office of the Company, wherever the same may be located.

X. The Company binds itself to commence the preliminary surveys for said works within the period of 12 months from the date of the ratification of this contract, and also to complete the said canal within 12 years from the same date. But if any fortuitous or unforeseen events, beyond the control of the Company,—as for example, earthquakes, epidemics, wars, or any other events of this nature,—should appear during the progress of the work to suspend its execution, the time thus lost shall not be reckoned as a part of the stipulated time above given for its completion. In case such event should occur, the Company shall give immediate notice to the Government of the same, for the purpose of deciding, in connection with the Company, upon the nature of such event.

XI. If none of the events which are expressed in the preceding Article should occur, and the work shall not be completed within

the said period of 12 years, then, whatever may have been done by the Company to that time in the prosecution of the work, shall be forfeited to, and become the property of, the State without any indemnity.

XII. The State gives to the said Company the right to take, free of any charge or indemnity, any of the public lands or forests within the State, all the wood, stone, lime, timber, or any other materials which it may require for the construction and use of said canal and its dependencies. And the said State hereby further gives to the Company the right to take and make use of such portions of the public lands as it may require for the establishment or erection of houses, stores, docks, wharfs, stations, and all other useful objects connected with the works of said canal.

XIII. In case the Company shall require any materials, such as wood, lime, stone, &c., which may be found in or upon the lands of particular individuals, it shall be obligated to pay for the same at such price as may be agreed upon between the Company and such individuals. But all the lands which may be required for the passage of the canal in its entire route, shall be at the expense of the State, and the Company shall not be liable to pay any indemnity for the same.

XIV. All the articles that the Company may require, both for the surveys and explorations, and for the construction and use of the works of the canal, such as machines, instruments, tools, &c., and all other necessary materials, shall be admitted into the State free of duties of all kinds, and may be discharged in any of its harbours, or at any other point within its territory that the Company may select; in this last case, however, giving notice of such intention to the proper Government officer. But the Company shall have no right to introduce within the territory of the State any goods, merchandise, or any other articles of commerce for sale or exchange without paying the duties established by law. And they are also prohibited from importing any articles or materials, which may be monopolised or prohibited by the State, for any purpose, except for the use of the works of the canal.

XV. The State binds itself to facilitate and aid in every possible way the engineers, contractors, employés, and labourers who may be employed in the explorations and surveys of the route, and in the construction of the works of the canal; and to this end stipulates that all citizens of the country who may be so employed by the Company, shall be free and exempt from all civil or military service of the State whatsoever; but to entitle them, however, to the right of exemption from such military service, they shall have been previously in the employ of the Company, for at least the period of 1 month. The State also guarantees to all foreigners who may be employed on the works of the canal the same rights, liberties, and privileges as

are enjoyed by inhabitants of the country; and also that they shall not be molested or disturbed in their labours while thus employed, by any internal commotions or disorders of the country; and at the same time that they shall be free and exempt from all taxes, duties, or direct contributions whatsoever during the time they may be in the Company's employ.

XVI. The said Company agrees to receive from the State as labourers upon the works of the canal any convicts who may be capable of labour, upon such terms as may be agreed upon between the Company and the State.

XVII. The said Company agrees to transport across the said canal all passengers, goods, merchandize, and materials of every description which may be intrusted to it; and also stipulates that the canal shall be open to the transit of vessels of all nations, subject to fixed and uniform rates of tolls that may be established by the Company.

XVIII. The Company shall establish a tariff of fees or tolls for the transportation of all passengers, goods, wares, merchandize, and property of every description, and for vessels of all kinds passing through or along the said canal, which shall have the force of law from the moment in which it shall be communicated to the Government of Nicaragua, which shall be obliged to sanction the same within 8 days after its reception; and at the same time, with a view to induce the largest and most extended business by this route, the said Company agree to fix the said tariff of fees or tolls for the same, at the lowest possible rate consistent with the mutual interests, both of the State and the Company; and in case that the Company should determine at any time to alter such tariff, it shall be incumbent upon it to give 6 months' previous notice of such determination in the State paper of Nicaragua and in the principal seaport towns of The United States.

XIX. The rate of tolls and charges for the transit of the products and manufactures of the State of Nicaragua and the adjoining States shall be regulated by a particular and more favourable tariff, which shall be agreed upon between the State and the Company.

XX. The State grants to all steamers and vessels of the Company during the continuance of this contract, the right of ingress and egress to, from, and through all its harbours, rivers, and waters both on the Pacific and Atlantic Oceans, and the interior, and the use of the same free of all duties or charges of any kind whatsoever, as, for example, anchorage, tonnage, &c.

XXI. The State hereby stipulates that all vessels and steamers of the Company, and also all goods, merchandize, manufactured articles, or any other property which may be conveyed therein passing through the said canal from one sea to the other in either direction to any foreign country, shall be free and exempt from all kinds

of Government duties or taxes whatsoever, and shall also be secure and protected from all interruption or detention in their course on the part of the State.

XXII. The Company shall furnish to the State annually a list of all its vessels employed in the navigation of the route, containing the names and descriptions of each of such vessels, which shall be registered in the archives of the State, and thereupon the State shall give to the Company a separate certificate of the register of each one of the said vessels, signed by the proper officer of the Government, which certificate shall serve always as a passport for said vessels through all the harbours of the State, upon presenting the same to the custom-house or harbour officer.

XXIII. The exclusive right which the Company has acquired by this contract of navigating the said lakes, rivers, and waters of the said State by means of steam-vessels, from one sea to the other, is understood as not to exclude the natives of the country from free interior navigation by means of sailing, or any other vessels, excepting steam-vessels.

XXIV. The Company binds itself to transport by the said canal, on board of any of its vessels, all the principal officers of the Government and its subalterns, in case of Government necessity, from one point of the said route to any other one at which said vessels may stop, without any charge to the State therefor.

XXV. The Company is to convey by any of its steamers or vessels, free of cost or charge over the route of the said canal, all the official correspondence of the State, in consideration of which the State agrees not to collect or recover any postage or duties of any kind upon any of the correspondence of the said Company.

XXVI. The Company binds itself to construct, at its own expense, bridges upon that part of the canal that may be made between the lakes and the Pacific, upon such principal highways as may be agreed upon between the State and the Company. The said State, with the consent of the Company, shall establish rates of toll or charges upon such persons or things as may pass over said bridges, the profits from which shall be appropriated to redeem the capital invested in their construction, and the interest thereon, at the rate of 7 per cent. per annum; and when such capital and interest shall have been reimbursed to the Company, then the profits shall be divided equally between the State and the Company for the remaining period of this contract, but such bridges shall continue under the control and management of said Company.

XXVII. The State of Nicaragua, with the object of facilitating the colonization of the lands contiguous to the River St. John, and the adjacent rivers, and of the canal which in or along it may be constructed, makes a free donation to the Company of 8 stations or sections of land to be located at such points upon either one or both

of the banks of the said river or canal as the Company may elect, each one of which stations shall be of 6 English miles in length, fronting upon the river or canal, and 6 miles in width, measured from the bank of the canal or river towards the interior. And the State further grants to the Company the right of alienating the lands which compose said sections to settlers, or any other person or persons who may wish to locate themselves upon the same. Said sections of land are granted upon the following conditions:

1. They shall be located by the Company in such a manner that they shall be at least 3 English miles distant from each other.

2. That no one of them shall be located within the distance of $4\frac{1}{2}$ English miles from the mouth of the St. John's river.

3. The State reserves to itself the right to such points as shall be necessary for its military fortifications and public buildings.

4. That the lands granted shall not be alienated to settlers until 6 months after the commencement of the survey of the route of the said canal.

5. The State reserves to itself the supreme dominion and sovereignty over said lands and their inhabitants.

6. That said lands shall not be alienated by the Company to any Government whatsoever.

XXVIII. The colonies which the Company may establish upon said lands shall be colonies of Nicaragua, and thereupon the settlers shall be subject to the laws of the State the same as the natives of the country, being, however, exempt for the term of 10 years from all taxes and direct contributions, and from all public service, as soon as each colony shall contain at least 50 settlers.

XXIX. The State further agrees that in case any event may hereafter occur, as named in the preceding Article X, to suspend or prevent the construction of the canal, or if the said contract shall become forfeited, or annulled by either or both of the parties, and also in case the said contract shall continue in force for the full period of 85 years, mentioned in the preceding Article IV, the said State shall always acknowledge as private property the lands which may have been alienated or ceded by the Company to settlers or other persons in virtue of the legal title which the Company has acquired by this contract to the said lands.

XXX. The Company shall have the exclusive right to construct rail or carriage roads, and bridges, and to establish steam-boats and steam-vessels on the said rivers and lakes as necessary accessories to and in furtherance of the execution of the canal; but the Company hereby stipulates and agrees that in case the construction and completion of the said canal or any part of it becomes impossible by any unforeseen event or insurmountable obstacle of nature, to construct a railroad or rail and carriage road, and water communication between the two oceans, provided the same may be practicable, within the

same period as is stipulated for the building of the said canal, and subject to the same terms, conditions, regulations, and restrictions, as far as they can be made applicable to the same.

XXXI. The State hereby binds itself not to sell or dispose of any of its public lands located upon or near the River St. John's, or upon or near any of the routes or points designated in Article I of this contract, until after the surveys shall have been made, and the route determined of the said canal.

XXXII. The State also binds itself to protect and defend the Company in the full enjoyment of the rights and privileges granted in this contract, and also binds itself not to contract with, or cede to, any Government, individual, or companies whatsoever the right of constructing a ship-canal, railroad, or any other communication across its territory between the two oceans, or the right of navigating by means of steam-vessels any of its rivers or lakes which may be occupied by this Company while this contract continues in force. But, should this contract become forfeited or annulled, then the State shall be privileged and free to contract with any other individuals or companies as it may deem proper.

XXXIII. In case any dispute or controversy shall arise, during the existence of this contract, between the State and the Company, the same shall be determined by a reference to 5 Commissioners, to be chosen in the following manner, viz., 2 to be named on the part of the State, 2 named by the Company, and the fifth to be selected by the 4 thus appointed, who shall hear and determine the matters in controversy, and decide upon the same; which decision of the said Commissioners shall be final and without appeal, and binding upon both the State and the Company.

XXXIV. It is further provided, that in the event of the 4 Commissioners thus chosen not being able to agree upon the selection of the fifth, the State and the Company shall then choose 3 individuals, out of which number they shall select one to act as such fifth Commissioner; but should they disagree in such selection, then the choice shall be made out of said number by lot.

XXXV. After the period of the 85 years herein granted to the Company shall have expired, the Company shall surrender to the State the canal or roads, and its dependencies, revenues, and privileges, free from all indemnity, for the capital which may have been invested in the said work. But it is nevertheless stipulated that the Company shall receive 15 per cent. annually out of the net profits of the canal for the period of 10 years after such surrender, provided the cost of the same shall be less than 20,000,000 of dollars; but should the cost be 20,000,000 of dollars or more, then the Company shall receive said 15 per cent. for the period of 20 years after such surrender.

XXXVI. It is expressly stipulated on the part of the State of

Nicaragua that the vessels, products, manufactures, and citizens of all nations shall be permitted to pass upon the proposed canal through the territory of the State, subject to no other or higher duties, charges, or taxes than shall be imposed upon those of The United States; provided always, that such nations shall first enter into such Treaty stipulations and guarantees respecting said canal as may hereafter be entered into between the State of Nicaragua and The United States.

XXXVII. It is finally stipulated that this contract, and the rights and privileges which it confers, shall be held inalienable by the individuals composing the Company herein named and their associates; and that it shall never, in whole or part, be transferred or assigned to any other Company, nor in any way become dependent upon or connected with any other Company, whatever may be the objects of the same.

XXXVIII. The present contract shall be ratified by the Legislature of the State in the shortest possible period; and on the part of David L. White shall be ratified immediately after, as agent of the Company which he represents, in virtue of the powers conferred on him to this effect.

In testimony of which we, the respective Commissioners, have signed and sealed the present contract in triplicate, in the city of Leon, in the State of Nicaragua, the 27th day of August, in the year of our Lord 1849.

(L.S.) HERMEND. ZEPEDA.

(L.S.) GREGORIO JUARES.

(L.S.) DAVID L. WHITE.

No. 12.—Mr. Abbott Laurence to Visct. Palmerston.—(Rec. Nov. 24.)

MY LORD, *United States' Legation, November 22, 1849.*

YOUR note of the 13th instant seems to call for a reply on my part. Not desiring to embarrass this question with discussions, if they can be avoided, I have preferred following your example, and add what I have to say in a separate note.

The United States have seen with satisfaction the liberal course pursued by Her Majesty's Government as to the laws regulating the commerce and navigation of Great Britain, and hail them with the more delight that they are the response to an invitation held out by Washington, and more than 30 years since made a public law under one of his successors. They have rejoiced, too, as they have beheld the evidence of a friendly feeling towards themselves on the part of this great nation, and they have responded to these tokens by sincere assurances of friendship. They earnestly desire that the 2 greatest commercial nations may become more firmly united for peaceful works, disputing in a friendly feeling and on a liberal

basis for the commerce and carriage of the world, and rivalling each other only in their endeavours to advance the general interests and welfare of mankind.

Influenced by such motives, they have seen with regret that on a coast commanding one outlet of what is supposed to be the best route for a ship canal from ocean to ocean, a tribe of savages has been clothed with a sovereignty which they cannot but consider unfounded. They saw in this new difficulties in the way of the construction of a most important channel for the peaceful commerce of the world, and they feared that ulterior purposes lay behind it. It seemed to them that no great maritime nation ought to desire or be permitted to have an exclusive foothold on the Isthmus; but that its efforts and influence should be confined to guarantees of neutrality.

From the liberal and enlarged spirit in which our advances have been met by your Lordship, I cannot but hope that this block in the way of this great enterprise may be removed; that the Mosquitos may be provided for in a manner fully satisfying the demands of philanthropy and justice; that other causes of difference may be satisfactorily adjusted, and we spared a discussion which could only defer what we both wish to effect, and perhaps lead to more serious results.

You have spoken of the Treaties. The United States have nothing to conceal; and I have, under instructions, forwarded, with my other note of even date, copies of everything furnished me thus far from Washington. You will see by these the nature of the Treaty negotiated by Mr. Squier; that while it indeed rests upon the validity of Nicaragua's claim of sovereignty from ocean to ocean, it seeks to secure nothing exclusively to The United States; that it contemplates an invitation to the world to join in its provisions for the world's welfare. I have reason to believe that The United States are as firm as they are sincere on this point. I have, &c.

Viscount Palmerston, G.C.B.

ABBOTT LAURENCE.

*No. 13.—Mr. Abbott Laurence to Visc^t. Palmerston.—(Rec. Dec. 15.)
United States' Legation, 138, Piccadilly, December 14, 1849.*

THE Undersigned, Envoy Extraordinary and Minister Plenipotentiary of the United States of America, has the honour to call the attention of Viscount Palmerston, Her Majesty's Principal Secretary of State for Foreign Affairs, to the political condition of Central America, and the plans for the construction of a railway and ship-canal through that country from ocean to ocean, which have recently been the subject of conversations and correspondence between the Undersigned and his Lordship, and about which it seems desirable that the respective views of The United States and Her Majesty's Government should be mutually and definitely understood.

The Undersigned desires first to recapitulate the facts illustrating the present position of this question. Great Britain and The United States both profess to desire to see constructed highways from the Atlantic to the Pacific; both wish to see those highways properly guarded during construction and after completion; both desire to see them, when finished, placed upon such a basis as will entitle them to the confidence of the world. Each has an interest in them approached only by that of the other. For Great Britain they will open new and shorter routes to her Eastern empire; for The United States they will be the bridge connecting the Atlantic with the Pacific States, and consolidating their vast territory: above all, for the world, by opening new avenues for its commerce and greater facilities for friendly intercourse, they will offer strong guarantees for the continuance of peace and the increase of goodwill.

The United States have already taken the initiatory steps for such results. Permission to construct a railway across the Isthmus of Darien near Panamá has been granted to a private company of American citizens, who have been joined by British capitalists, and the work is now under construction, its neutrality guaranteed by a Treaty of The United States with New Granada. The State of Nicaragua has also granted to certain citizens of The United States the right to construct a ship-canal from sea to sea through her territory, and the neutrality of this route also is guaranteed by a Treaty, concluded but not yet ratified, between The United States and Nicaragua. This Treaty will probably be submitted for ratification to the Senate at its present session; and the Undersigned has been informed it is proposed to offer the subscriptions for the canal stock to English and American capitalists. Copies of these several Treaties and Charters the Undersigned has already had the honour to submit to Lord Palmerston.

The United States have disclaimed all intention to settle, annex, colonize, or fortify the territory of Central America; which declaration has been met by a similar disclaimer on the part of Great Britain. Her Majesty's Government have intimated their willingness to join with The United States in their guarantees of neutrality.

To this brief statement may be added that the Undersigned has learned unofficially through the public press, that the *Chargé d'Affaires* of The United States at Guatemala has obtained from the Government of Honduras the cession of an island in the Pacific Ocean, with reference to the wants of the proposed canal, from which, if correct, it would appear that arrangements have been made by The United States for its western outlet.

From the foregoing statement it appears that Great Britain and The United States agree on all the main points. Lord Palmerston will also undoubtedly coincide with the Undersigned in the belief

that without such agreement this work may be delayed. No other nations in the world have so important interests to be affected by it; no others have the requisite capital at command; no others have shown a willingness to guarantee the neutrality essential to its safety; and capital, always timid, would shrink from it without such guarantee, much more were it the cause of disagreement between these 2 nations. Though Great Britain or The United States may each be in a position to do this work, single-handed, yet neither would probably desire to do so. It may, therefore, be assumed that the 2 countries desire to go on with the work, through their respective capitalists, together and harmoniously, and that in the absence of any obstacles it would be soon completed and in operation.

The only apparent obstacles are, the boundary disputes between the different States of Central America, the claims made in favour of the Mosquito Indians to a portion of the territory of the eastern coast of the Isthmus, and the British occupation of Greytown. Desiring to remove, if possible, these impediments, the Undersigned offers, for the consideration of Viscount Palmerston, certain suggestions, in the hope that his Lordship will either coincide with the views of the Undersigned, or will offer some others more feasible.

In regard to the boundaries of the States of Central America, the Undersigned is persuaded that, if these States fail to settle them amicably, they can be induced to submit their disputes to the arbitration of certain citizens of The United States and Great Britain, appointed by those 2 Governments, whose decision shall be final. The kind offices of these 2 nations might be further extended to a recommendation to the several States of the Isthmus to reunite under a Federative Government, both for the better social development of that people, and the peace of a country becoming so important to the world.

With respect to the Indians, The United States are convinced that their claim is against well-settled principles of public law, and its admission would virtually surrender to barbarism much of the American soil now in the possession of the aborigines.

The Undersigned is sensible that, unless the views of the 2 Governments on this subject can be harmonized, the co-operation so much desired will be prevented; and feeling confident that Viscount Palmerston, as well as himself, would deprecate such a result, he begs leave to present certain considerations which he believes may bring the 2 nations together.

In a former communication Viscount Palmerston has said that "a close political connection has existed between the Crown of Great Britain and the State and territory of Mosquito for a period of about 2 centuries." It is no purpose of the Undersigned at present to consider the nature, object, or history of that connection. He

alludes to it simply to call Lord Palmerston's attention to the great changes which in that time have come over the world. Its commerce has increased in an almost untold ratio. Facilities of intercourse exist then undreamed of. New nations have become powerful on lands then scarcely discovered, and entirely unknown. Old kingdoms, then great, have faded away; old Powers still have been reanimated by an infusion of Christian vigour. And now, by a combination of these circumstances, with a future in prospect surpassing them all, the eastern coast of Central America has received an importance it has never before possessed.

It appears to the Undersigned that the just interests of humanity demand that this territory should be open to the great object under consideration, without let or hindrance, even though the claims of these savages were valid. They can be properly provided for otherwise. But the face of nature cannot be changed. And in order to give full confidence to the capitalists of Europe and America, neither The United States nor Great Britain should exercise any political power over the Indians, or any of the States of Central America. The occupation of Greytown and the attempt to establish a protected independence in Mosquito, throw at once obstacles in the way, excite jealousies, and destroy confidence, without which capital can never flow into this channel. Nicaragua, too, stands in a position to demand the goodwill of all entering into this work. She holds the undoubted western key; and should she refuse the right to traverse her territory, except on the recognition of its integrity, neither Great Britain nor The United States could take that right by force. She has, too, already granted the only available charter ever given, and the grantees stand ready to go on when they can be assured of protection.

The Undersigned can discover no course that will ensure the accomplishment of this great work except the extension of Nicaragua from shore to shore, including of course the dedication of Greytown to the purposes of the canal, which Her Majesty's Government have already expressed a willingness to do. The Indians must be properly cared for. The United States would view with no less concern than Great Britain the practice of any harshness towards that people. The right might be guaranteed to them to pursue their usual occupations within definite limits, ample for such a purpose, with a condition that, if any nation, corporation, or company have acquired, or may acquire, the privilege of constructing a communication between the Atlantic and Pacific Oceans by means of a canal, and if such communication shall necessarily pass through the lands assigned to the Mosquitos, a reasonable compensation shall be secured to them, which shall be paid by Nicaragua for the extinction of their title to so much of that territory as may be

necessary for the objects in view. In that event, of course, the sovereignty of the whole territory would rest in the Spanish States; the whole arrangements and stipulations on their part, however, with regard to the Indians, to be made satisfactory to The United States and Great Britain, and proper stipulations made for enforcing the same.

The execution of these suggestions would require the conclusion of Treaties between Great Britain and some of the States of Central America, as well as The United States and the same States; and the Undersigned is obliged to say, that The United States have no power over any of them, and he no authority to speak for them. He can assure Viscount Palmerston, however, that, in the event of these suggestions meeting the views of Her Majesty's Government, The United States will spare no proper exertion to induce those Powers to become parties to such an arrangement.

The Undersigned has, therefore, the honour to inquire of Viscount Palmerston whether Her Majesty's Government are willing to enter into a Treaty with Nicaragua, similar to that negotiated by Mr. Squier on behalf of The United States; whether they are willing to enter into a Treaty with New Granada guaranteeing the neutrality of the railway now under construction; and whether they are willing to let the Protectorate of the Indians pass to other hands, under proper checks and guards for their humane treatment, and let such parts of the territory said to be occupied by them as may be necessary be dedicated to this great work.

A ship-canal connecting the 2 oceans will do more to perpetuate peace between Great Britain and The United States, and in fact the whole world, than any work yet achieved. After the lapse of centuries, during which various companies have been formed for its construction, and have failed, we have the opportunity to exhibit anew the power and energy which have made us the 2 greatest commercial nations on earth. It is our mission to extend commerce—the pioneer of civilization and child of peace—to all parts of the world; to cultivate friendly relations with all; to bring the distant near; and to illustrate by our example the elevating effects of Christianity.

There is a fitness in our union for the purpose of opening a great channel of communication, saving a distance of more than 10,000 miles, given up to the use of the world, dedicated to peace, and working out incalculable benefits to mankind. Let us construct the work on the only practicable basis, and invite all nations to join in the guarantee of its neutrality, that neither now nor hereafter jealousies may arise on the part of those who may be the recipients of its benefits.

The Undersigned begs leave to add further, that he has reason
[1850—51.]

to believe that the people of Great Britain and The United States entertain the same feelings in regard to the importance of this work, and stand ready to enter on its construction, as they have already on that of the railway, when they can see their investments guarded by suitable guarantees. He ventures to express the hope that Viscount Palmerston will give this subject an early consideration. The Congress of The United States is now in session ; and he is anxious to transmit the decision of Her Majesty's Government to the President.

The Undersigned, &c.

Viscount Palmerston, G.C.B.

ABBOTT LAURENCE.

No. 14.—Sir H. Bulwer to Viscount Palmerston.—(Rec. January 22.)
(Extract.) *Washington, January 6, 1850.*

A CORRESPONDENCE that has taken place between the Minister of Foreign Affairs of the State of Honduras and Mr. Chatfield, Her Majesty's Consul-General at Guatemala, relative to the temporary occupation, by Her Majesty's forces commanded by Captain Dollond, of Her Majesty's steam-vessel *Plumper*, of the port of Truxillo, and the seizure in Her Majesty's name of the Island of Tigre, in the Bay of Fonseca, which island was taken possession of by the Commander of the *Gorgon*, at the request and under the authority of Mr. Chatfield, has produced much excitement here.

Your Lordship is aware that Mr. Hise, not long since an agent of this country under a former Administration, obtained by Treaty what was called the exclusive right of navigating a canal to be constructed by an American Company from the Atlantic to the Pacific through the State of Nicaragua, but what was, in fact, in its evident meaning and numerous stipulations, a cession of the whole State of Nicaragua to this Republic, which, had Mr. Hise's Treaty been accepted, would have been bound to claim as the territory of Nicaragua a portion of that country over which we have always maintained and recently asserted the dominion of the King of the Mosquitos.

Mr. Hise was recalled, and the present President has considered his Treaty to be one that did not deserve his sanction. But Mr. Squier, sent out by Mr. Clayton to replace Mr. Hise, has followed as closely as possible the conduct of his predecessor. In public speeches he has seemed to claim a sort of protectorate for The United States over those Central American Republics amidst which his functions have placed him ; and having made a Treaty with Nicaragua with respect to the canal that had occupied Mr. Hise's attention, less objectionable in form than that of Mr. Hise, but throughout which may be traced an under-current of the same feelings and pretensions, he furthermore entered into a Treaty with the State of Honduras, by which the Island of Tigre was ceded to The United

States—a fact that, without hesitation, or reference to his own Government, he immediately notified.

Mr. Clayton has, on various grounds, manifested a desire to approve, with some modifications, of Mr. Squier's first Treaty with the State of Nicaragua; but he has told me that he has refused to sanction Mr. Squier's second Treaty with the State of Honduras.

I have given Mr. Clayton the most positive assurances that I am convinced that Her Majesty's Government has had no object in any instructions it may have given to Mr. Chatfield (of which instructions I have, however, professed myself not to be officially informed), beyond the settlement of its just claims on the State of Honduras.

I stated also to Mr. Clayton, that Great Britain and The United States having so lately declared that neither entertained any projects of selfish ambition over Central America, they might fairly and entirely unite in advancing the only interest which really concerns them in that part of the world, viz., the progress of commerce and civilization.

I found Mr. Clayton disposed to take up these views.

Viscount Palmerston, G.C.B.

H. L. BULWER.

No. 15.—Sir H. Bulwer to Viscount Palmerston.—(Rec. January 22.)

MY LORD,

Washington, January 6, 1850.

WITH reference to my preceding despatch of this date, I have the honour to inform your Lordship that I am authorized by Mr. Clayton to say, that he will be quite willing to send to the United States' Agents in Central America, instructions identical with those to be transmitted by your Lordship to the Agents of Great Britain in that country, taking as a basis for the same, that neither Great Britain nor The United States proposes to obtain for itself any peculiar or exclusive advantages, nor extend its dominion in that part of the world; and that, consequently, it will be the duty of such agents, instead of attempting to counteract projects which do not exist, by placing themselves at the head of rival parties, to lend each other mutual assistance in the transaction of the business with which their respective Governments may charge them.

Should your Lordship favour me specifically with any form of instruction containing these sentiments, I have little doubt that Mr. Clayton will at once adopt it. I have, &c.

Viscount Palmerston, G.C.B.

H. L. BULWER.

No. 16.—Sir H. Bulwer to Viscount Palmerston.—(Rec. January 22.)

(Extract.)

Washington, January 6, 1850.

SINCE arriving in this country, I have taken some pains to ascertain in what way the questions that have arisen between Her

Majesty's Government and that of The United States, with respect to Nicaragua and the Kingdom of Mosquito, might be brought to a prompt and satisfactory conclusion. Your Lordship is aware that the main interest of The United States in this matter has arisen from its newly acquired possessions in the Pacific, and the project of an American Company to form a water communication between the 2 oceans, passing through the Lake of Nicaragua and the River San Juan; this company having obtained from the State of Nicaragua the use of its lakes and territory for this purpose, and the use also of the River San Juan, to which Nicaragua lays claim.

In this manner the Government of The United States became interested in the pretension of the Nicaraguans, and desirous to establish the fact that the River San Juan, ceded by the Nicaraguans to an American company for an object of the utmost interest to America, should be placed at the disposal of the State making that concession. This first interest in the claims of Nicaragua, therefore, proceeds from an interest in the construction of the canal to which I have been alluding.

But it so happens, that while it is very difficult, not to say impossible, for Her Majesty's Government to listen to those claims of Nicaragua, our decision with respect to which has been already openly taken, there is no difficulty, I believe, whatsoever in Her Majesty's Government assisting The United States' Government in its general views with respect to that water communication across Central America, which Great Britain must be almost as desirous as The United States to see established. Our great object, therefore, as it has appeared to me, is to displace the discussion from the claims of Nicaragua and Mosquito, on which it is unlikely that the 2 Governments of Great Britain and The United States should agree, and bring it to the consideration of the canal, on which it is almost certain that their views will be identical.

Having conversed with several persons of importance, and of different parties on this subject, and with Mr. Clayton himself, I am disposed to think that the best means of doing this is by a Convention between Great Britain and The United States, having for its object to facilitate the construction of the desired passage between the Atlantic and the Pacific, upon such terms as without entering upon the question of the rival claims of Nicaragua and the Mosquitos, would confer upon American commerce all it can desire to obtain in a manner corresponding with the dignity and honour of Great Britain, and the disinterestedness of her protectorate over the Mosquito territory.

Viscount Palmerston, G.C.B.

H. L. BULWER.

No. 17.—*Mr. Abbott Laurence to Visc^t. Palmerston.*—(Rec. Jan. 31.)
United States Legation, January 30, 1850.

THE Undersigned, Envoy Extraordinary and Minister Plenipotentiary of The United States of America, has the honour again to call the attention of Viscount Palmerston, Her Majesty's Principal Secretary of State for Foreign Affairs, to the condition of Central America, and the proposed ship-canal from ocean to ocean.

In a note to Lord Palmerston, dated the 14th of December last, the Undersigned, among other things, said that he had "learned unofficially through the public press that the Chargé d'Affaires of The United States at Guatemala had obtained from the Government of Honduras the cession of an island in the Pacific Ocean, with reference to the wants of the proposed canal, from which, if correct, it would appear that arrangements had been made by The United States for its western outlet." By the last mail from The United States the Undersigned received official confirmation of this statement, and with it other intelligence which he regrets to be obliged to lay before Lord Palmerston, as it tends to interrupt the harmonious feeling which has hitherto marked the progress of the negotiation on the subject.

On the 28th day of September last, the Government of Honduras made a formal cession of the Tigre Island, in the Gulf of Fonseca, to The United States, for the purposes above mentioned, to hold absolutely for 18 months, or until the ratification of a Treaty that day signed by the Plenipotentiaries of The United States and of Honduras, should the ratifications be exchanged at an earlier day; and on the 9th of October following, a decree was issued by the President of Honduras confirming and announcing said cession. Notice of this cession was duly given by Mr. Squier, the Diplomatic Representative of The United States, to the several foreign Legations, and among others to Mr. Chatfield, Her Majesty's Diplomatic Representative. On the 16th of October, Mr. Chatfield, with an armed force of Her Majesty's service, seized and took possession of the Tigre Island, and occupied the same in Her Majesty's name; and on being subsequently notified by Mr. Squier of the cession, and requested to surrender it to The United States, refused so to do, claiming it as within British jurisdiction and under British sovereignty. The Undersigned has also learned that other islands in the same gulf have been in like manner taken possession of and occupied by Mr. Chatfield, and that several of the ports of San Salvador and Honduras have been blockaded by British forces.

Proceedings of this violent character during the known pendency of negotiations on this subject between The United States and Great Britain, have naturally excited distrust of the purposes which prompted them. While the people of The United States and of

Central America desire nothing but the construction and protection of the canal on the basis already referred to in the correspondence between the Undersigned and Lord Palmerston, they very reasonably have doubted whether these liberal views are shared by Her Majesty's Government, seeing, as they have, a claim made by Great Britain to an exclusive interest in the keys of the route on both oceans, under different pretexts. The Government of The United States, relying on the declarations of Her Majesty's Government, contained in Lord Palmerston's note of the 13th of November last, has not shared this distrust. But in order to protect its just rights in Tigre Island, and to carry out its generous purposes in regard to the construction of the canal, as well as to allay the distrust and the hard feeling engendered thereby, it has instructed the Undersigned "to ask for a disavowal of all acts of Mr. Chatfield or others, which have for their object to extend British jurisdiction over any part of the Central American States." He has therefore the honour to inquire of Viscount Palmerston whether the seizure and occupation of Tigre Island was authorized and is approved by Her Majesty's Government; and whether any other acts done by Mr. Chatfield or others in Her Majesty's name, having for their object to extend the British jurisdiction as aforesaid, were in like manner authorized, or are approved.

The Undersigned has the honour to inclose copies of the Treaty of Cession, of the Decree made thereon, and of such parts of the voluminous correspondence growing out of the seizure, as is necessary to exhibit the facts.

The Undersigned has been instructed to ask for an early answer to this note, and in complying with his instructions he would again express his own strong desire to see the question speedily settled.

The Undersigned, &c.

Viscount Palmerston, G.C.B.

ABBOTT LAURENCE.

(Inclosure 1.)—*Protocol of Conference between The United States and Nicaragua, for the Temporary Cession of the Island of Tigre to The United States.—Leon, September 28, 1849.*

THE United States of North America, and the Republic of Honduras, desiring to secure, for the benefit each of other and the general good of mankind, the full and perfect enjoyment of the advantages of the proposed grand Interoceanic Canal through the Isthmus of Nicaragua, and anxious to remove any cause of apprehension that the Island of the Tigre, in the Gulf of Fonseca, and commanding the same, may fall into the possession of foreign and unfriendly Powers, whereby the free transit of the commerce of the world may be obstructed, and the usefulness of the contemplated great work impaired; for the accomplishment of these, and other important

objects, we, the Plenipotentiaries of The United States and of the Republic of Honduras, have agreed and do agree to the following Articles:

ART. I. The Republic of Honduras cedes to The United States of North America the Island of Tigre, in the Gulf of Fonseca, for the time pending the ratification or rejection of the General Treaty between the 2 Republics, this day signed by the Undersigned Plenipotentiaries of the same, provided such time shall not exceed 18 months.

II. A decree to this effect shall be immediately issued and published, in due form, by the actual Government of Honduras, under the authority of which the principal diplomatic officer of The United States in Central America, or his representative, shall, in the name of his Government, take possession of the said island, and adopt such measures as he may deem proper to secure the objects set forth in the foregoing preamble.

III. Nothing in these Articles shall be understood to alter or impair the laws and regulations at present existing in said Island of Tigre.

In witness whereof, we, the Plenipotentiaries of The United States of North America and of the Republic of Honduras, have hereunto set our hands and seals.

Dated in the city of Leon de Nicaragua, this, the 28th day of September, in the year of our Lord 1849, and of the independence of The United States the 74th.

E. GEO. SQUIER.

J. GUERRERO.

(Inclosure 2.)—*Decree of the President of Nicaragua, for the Temporary Cession of the Island of Tigre to The United States.—October 9, 1849.*

By the President, in whom is vested the executive power of the State of Honduras.

INASMUCH as there was duly ratified between a Company of citizens of The United States and the Government of Nicaragua, on the 26th of September ultimo, a contract for constructing a ship-canal across the Isthmus of Nicaragua; and in order to remove all fear that the Island of Tigre, commanding the Gulf of Fonseca, may be occupied by any foreign or unfriendly Power, whereby the free transit of the commerce of the world may be obstructed, and the usefulness of the contemplated great work impaired, and to secure the integrity and independence of Honduras, and its sovereignty and property in the Island of Tigre, it is decreed:

ART. I. The Government of Honduras cedes to The United States, for the term of 18 months from the date of this decree, the Island of Tigre, in the Gulf of Fonseca; within which time shall be

constitutionally ratified or rejected the Convention signed at Leon de Nicaragua on the 28th of September by the Plenipotentiaries of both Governments.

II. In consequence of the foregoing cession, and in virtue of the present decree, the general diplomatic Agent of The United States in Central America, or his representative, shall have power immediately to take possession of the Island of Tigre, in the name of the Government, and shall adopt whatever measures he may deem proper to secure the objects of this Decree.

III. Nothing in the foregoing Articles contained shall alter the laws and regulations now existing in said island.

IV. The present Decree shall be printed, published, and circulated in the territory of Honduras, and be communicated to the other Governments of Central America, and to the foreign Agents and Consuls residing in the same.

Given in Tegoigalpa, in the House of the Government, October 9, 1849.

JUAN LINDO.

(Inclosure 3.)—*Mr. Squier to Mr. Chatfield.*

SIR,

Leon de Nicaragua, October 23, 1849.

I HAVE the honour to inclose you herewith a triplicate copy of a circular which I had the honour to address to you, in common with the other foreign diplomatic agents resident in Central America, on the 28th of September last. A copy was also officially communicated to Her Britannic Majesty's Vice-Consul at this port. No proper means were omitted, by duplicate and otherwise, to insure the reception of the circular by you.

I have this day received information, by an official communication addressed by the Commander of the port of Amapala, in the Island of Tigre, to the Director of Nicaragua, and by a copy of a letter addressed by the Commander of Her Britannic Majesty's steam-ship *Gorgon*, to the commander of said port, to the effect that, on the 16th instant, under direction from you, the commander of that station landed with an armed force on the island of the Tigre, in the Gulf of Fonseca, lowered the flag of Honduras, and raised under a salute, that of Great Britain, proclaiming, at the same time, that the island was thereby taken possession of in behalf of Her Britannic Majesty.

No such act can be regarded by The United States as invalidating her rights to this island, acquired by formal cession on the 28th of September last, under which date you were officially advised of such cession. I am compelled to believe that the measures adopted under your orders were taken in ignorance of this fact. The United States has, therefore, the right to expect that you will give directions for the evacuation of said island as soon as practicable after the receipt

of this communication, the reception of which I beg you will acknowledge (with such explanation as the gravity of the circumstance demands) in open envelope, by the bearer hereof.

I am, &c.

F. Chatfield, Esq.

E. GEORGE SQUIER.

(*Inclosure 4.*)—*Mr. Chatfield to Mr. Squier.*

SIR,

Gorgon, Union, October 27, 1849.

I HAD the honour of receiving, soon after 6 o'clock this evening your letter of the 23rd instant, inclosing a copy of a circular of the 28th of last month, which you addressed to the foreign Diplomatic Agents resident in Central America.

Having received a copy of the same letter in yours dated the 14th instant, to which I replied on the 25th, I conceive that I shall best comply with your desire by transmitting for your information a duplicate of my letter above referred to, showing that the Honduras Government, in making a temporary cession of the island of Tigre, in this bay, to the United States of North America, has acted improperly, and in bad faith to The United States and to Great Britain; for so long ago as the month of January last, as indeed I apprised your predecessor, Mr. Hise, at the time, verbally, England established proprietary rights over the Tigre island and its dependencies, which no subsequent arrangement on the part of Honduras, without the cognisance of England, can undo. Under these circumstances you will, I think, perceive that I have no alternative but to submit to Her Britannic Majesty's Government the determination of the point now raised by you, and to decline acceding to your proposal of surrendering the clear right of Great Britain.

I may, however, state, that owing to existing difficulties with the Government of Salvador, which the most friendly persuasions and remonstrances on my part have been unable to remove, I have asserted the same right of propriety in favour of Great Britain over the other islands in this bay.

I have, &c.

E. G. Squier, Esq.

FRED. CHATFIELD.

(*Inclosure 5.*)—*Mr. Squier to Mr. Chatfield.*

(Extract.)

November 2, 1849.

I HAVE the honour to acknowledge the receipt of your note of the 27th ultimo, in reply to mine of the 23rd preceding, in which you decline to evacuate the island of Tigre, belonging to The United States, and forcibly occupied by British troops under your order on the 16th ultimo.

As I have already repeatedly advised you, the island of Tigre was formally ceded to The United States on the 28th of September of this year. The subsequent occupation of the same as above

stated is therefore an invasion of the rights of The United States. It now becomes my duty to apprise you that unless the island of Tigre is evacuated within 6 days from the receipt of this communication, the persistence in occupation will be considered as an act of aggression, and a manifestation of an unfriendly disposition towards The United States. I cannot believe, sir, that you will take upon yourself the responsibility of disturbing the good correspondence which at present exists between The United States and Great Britain.

F. Chatfield, Esq.

E. GEORGE SQUIER.

No. 18.—Viscount Palmerston to Mr. Abbott Laurence.

Foreign Office, February 13, 1850.

THE Undersigned, &c., has the honour to acknowledge the receipt of the official note addressed to him on the 30th ultimo by Mr. Abbott Laurence, &c., inquiring whether the proceedings of Mr. Chatfield, Her Majesty's Chargé d'Affaires at Guatemala, in ordering the occupation of certain islands in the Bay of Fonseca have been authorized and approved by Her Majesty's Government.

The Undersigned begs to state to Mr. Laurence, in reply, that Her Majesty's Government having claimed compensation from the Governments of Honduras and Salvador for certain wrongs sustained by British subjects within the territories of those Republics, and the Governments of those States not having satisfied those demands, Mr. Chatfield and Her Majesty's naval officers on the Atlantic and Pacific coasts of America were instructed to take such steps as might be necessary for obtaining just redress. In execution of those general instructions, Mr. Chatfield, in conjunction with the officer commanding one of Her Majesty's ships of war in the Pacific, took possession of Tigre island as a means of reprisal, and as a temporary pledge for obtaining from the Government of Honduras the satisfaction that was required, and the Undersigned apprehends that according to the Law of Nations such a proceeding was an allowable means of procuring redress. But when Her Majesty's Government were informed of what had taken place, the Undersigned stated in reply to Mr. Chatfield that a reprisal of this particular kind ought not to have been made without specific instructions from Her Majesty's Government, or without the concurrence of the British Admiral commanding in the Pacific; and Mr. Chatfield was therefore directed to restore the island of Tigre to its former condition, without prejudice to any measures which Admiral Hornby might afterwards deem it necessary or right to take in order to obtain satisfaction from the Government of Honduras.

Moreover, since that instruction was addressed to Mr. Chatfield, Her Majesty's Government have heard from Admiral Hornby that

when he was informed of the temporary occupation of Tigre island, knowing by previous communications which he had received from Her Majesty's Government that Her Majesty's Government did not wish that such a measure of reprisal should be resorted to as long as any other means of obtaining satisfaction could be used, he had immediately, and without waiting for any further instructions from home, sent orders that the detachment which had been placed in occupation of Tigre Island should be withdrawn.

Tigre Island has, therefore, long before this time been evacuated by Her Majesty's forces. But Her Majesty's Government must not on that account be considered as giving up in any degree the claims which it has made on the Government of Honduras, and must hold itself free to use whatever means the law of nations may allow for obtaining the redress which it demands if that redress should continue to be withheld.

With regard to the declaration contained in the letter which the Undersigned addressed to Mr. Laurence on the 13th of November last, stating that Her Majesty's Government do not intend to occupy or colonize Nicaragua, Costa Rica, the Mosquito Coast, or any part of Central America, it is unnecessary for the Undersigned to say that Her Majesty's Government abide by that assurance, and it can scarcely be requisite for the Undersigned to point out to Mr. Laurence that the arrangement made by Mr. Squier for the cession of Tigre Island to The United States would, if adopted by the Government of The United States, be entirely at variance with the declaration contained in Mr. Laurence's letter of the 8th of November, to which the above-mentioned letter of the Undersigned was a reply.

With respect to the other small islands in the Bay of Fonseca belonging to the State of Salvador, on which Mr. Chatfield had declared a lien as a pledge for the satisfaction which was required from the State of Salvador, Her Majesty's Government have been informed by despatches recently received from Mr. Chatfield that the Government of Salvador had made a satisfactory arrangement for the adjustment of those claims, and that he had, therefore, withdrawn the lien from those islands.

The Undersigned, &c.

A. Laurence, Esq.

PALMERSTON.

No. 19.—Sir H. Bulwer to Visct. Palmerston.—(Rec. February 18.)
(Extract.)

Washington, February 3, 1850.

ALTHOUGH I have long deemed it highly desirable that the excitement which has latterly existed here, in regard to the protectorate exercised by Her Majesty's Government over the Kingdom of Mosquito, and the extent of territory belonging to that kingdom,

should be dispelled, and all chance of any difference between the 2 Governments, on such a subject, be set at rest in such a manner as would redound to the interests and honour of them both; and although I myself have thought, after the full manner in which your Lordship explained your views to me on the whole of this question, and the knowledge which I have recently acquired of the practical bearings of it in this country, that I could safely and profitably undertake its settlement on my own responsibility; I have, nevertheless, been scrupulous as to doing so as long as the matter did not seem to require especial urgency, and as long, more particularly, as I thought it was being, or could be treated by your Lordship and Mr. Laurence in London.

I have, therefore, simply endeavoured hitherto to prepare the way for some suitable arrangement, by such explanations as seemed to me advisable and necessary, and awaited the result of your Lordship's negotiations.

The papers relative to this affair are now, however, asked for by both the Senate and the Assembly of Representatives. They would include 2 Treaties entered into by the different agents of this Government with the State of Nicaragua, one which was little less than the cession of Nicaragua to The United States' Government, and which was disavowed; and the other, which, as it stands, would recognize the claims of Nicaragua over a portion of Mosquitia, and give especial privileges to American citizens. Nor is this all. There would be, amongst such papers, whatever communications have passed between Mr. Buchanan or Mr. Clayton with Messrs. Hise and Squier, and the State of Nicaragua; whatever instructions were given to Mr. Laurence relative to this subject, on his departure to England; and also perhaps a letter from President Taylor to the President of Nicaragua, acknowledging the justice of the Nicaraguan pretensions as against the King of Mosquito and ourselves, and involving, in some degree, the Government of this country in the disputes which have arisen between the Nicaraguan Republic and Great Britain.

Were such papers laid before Congress, the discussions which would take place must, without any arrangement of the matter being announced, lead to such angry discussions, and to the promulgation of such violent opinions on this side of the Atlantic, as would render any subsequent understanding between the 2 Governments of excessive difficulty.

I should hardly have acted, however, in any formal manner on this consideration alone, but having heard of the very serious illness of Mr. Laurence, and been informed by Mr. Clayton that if this gentleman recover he will not be able to transact public business for a considerable time, I deemed that I stood one of those positions

in which it is necessary for a public agent to take upon himself a certain degree of responsibility for the sake of the public service; and, consequently, when Mr. Clayton, after informing me of Mr. Laurence's severe indisposition, and explaining to me the very critical position in which he himself stood, added, that he must either deliver up the whole subject to popular discussion and determination, or come to some immediate settlement upon it, I entered with him into a full consideration of the affair, and finally agreed to submit to your Lordship's sanction the inclosed project of Convention.

In order to make clear the spirit and intention with which the said project is drawn up, I feel it necessary to enter, with your Lordship, into some statement of my own views with respect to the questions out of which it arises, some statement of the causes which have raised these questions into importance, and some explanation of the nature of the solution which I have given to such questions.

It seemed then to me, that Her Majesty's Government, after asserting, first by argument, and finally by force, the rights of the King of Mosquito over a particular territory, and driving therefrom the agents of the feeble Government of Nicaragua, could not, at the demand of another Power of greater strength, restore to the Nicaraguans that territory from which they had been ejected.

Nevertheless, I was aware that the course which Her Majesty's Government pursued in this case was with a view to the general interests of commerce, as well as to those of justice; and that so far from wishing to make the protectorate which Her Majesty exercises over the Mosquito territory, or that territory itself, subservient to the views of any small, selfish, or grasping policy, it would be your Lordship's desire to make both the one and the other useful, in the widest sense of the term, to the common advantage of mankind and the universal purposes of traffic and civilization.

Such being my conviction and knowledge on the one side, I was equally certain, on the other, that the interests of The United States were only incidentally involved in the question between Nicaragua and the Mosquitos, and mainly referred to another subject, which, though connected with the disputes which have arisen as to the extent of the Nicaraguan territory, admit of a separate adjustment.

The construction of any rail or water communication across that portion of Central America which separates, by a comparatively small distance of land, the 2 oceans of the Atlantic and Pacific, would always have been of great interest to The United States; but since the possession of California and Oregon this interest has indefinitely increased, so that that which was once a question of convenience is now almost a matter of necessity. Thus the various routes by which a railway or canal could open a way between the 2 seas have, latterly, been under the constant attention of this

Government; and amongst the most feasible and important of the schemes indicated has been one of a canal, from the port of Realejo, through the Lakes of Nicaragua, to the mouth of the River San Juan.

Now the State of Nicaragua made to an American company formed for the construction of such a canal, the grant, accompanied by various favours and privileges, of all such portion of the territory claimed by it, as the said company required; and, in the 2 Treaties to which I have already referred, namely, those of Mr. Hise and Mr. Squier, the object of the American agents has evidently been to strengthen the contract which the above-mentioned company had made.

It was, however, impossible for the contemplated scheme to be executed under any grant from the State of Nicaragua as long as the mouth of the San Juan River was in the hands of another people or kingdom, protected by Great Britain; and, moreover, it was generally supposed that the Government of Great Britain had placed the Mosquitos in possession of Greytown, expressly in order to get hold of this entrance to the canal passage for itself, and, at all events, to prevent its falling into the possession or being subservient to the views of any other Power.

On these grounds has arisen all the excitement here touching the British protectorate of Mosquito, and in this manner The United States has become interested in the dispute between the Nicaraguans and ourselves.

It is indeed most certainly true, that if the American Company, having the grant of which I have spoken from Nicaragua, had been disposed to carry it out in its original terms, and that if The United States' Government had been prepared to accept the exact terms of the Treaties made with Nicaragua by their Agents, it would have been impossible for Great Britain to favour an undertaking which expressly established a monopoly of trade for American citizens, through the most important passage (if such a canal as that contemplated can be executed) that the commerce of the world can enjoy; and I cannot consider it unfortunate for the general interest that Her Majesty's Government should have been in a position to make its consent necessary to a work of such universal importance.

But both the American company to which I have alluded, and the American Government, have latterly manifested an earnest desire to have it clearly understood that they will modify all that portion of their original engagements with Nicaragua which secures any advantages to one State which another may not equally enjoy; and if such be the spirit which is to preside over the vast project under consideration, Great Britain has not only no interest in

preventing its success, but every interest in forwarding its completion and providing for its security.

In this view of the case, the protectorate which Her Majesty exercises over the Mosquitos, instead of being prejudicial to the aforesaid enterprise, may be an essential element in its favour, and all that seemed to be required in order to bring Great Britain and The United States to a perfect understanding is, that both should abandon every particular advantage, the one such as might be derived from the protectorate over the Mosquitos, and the other such as might be derived from any contract or Treaty with Nicaragua; and to make the fact that they do so clear and palpable, taking as the basis of their thorough good understanding the construction of that canal which offers benefits common to the two, and dropping as a point of controversy those disputes as to the Nicaragua and Mosquito territory, on which it is next to impossible that they should come to any agreement.

It is with such views that the inclosed Convention has been drawn up, its object being to exclude all question of the disputes between Nicaragua and the Mosquitos, but to settle, in fact, all that it was essential to settle with regard to those disputes as far as the ship communication between the Atlantic and the Pacific and the navigation of the River San Juan were concerned.

There are indeed stipulations which extend farther than the mere engagement, on our part, to use our best endeavours to obtain the free transit of this river, inasmuch as that we also in the said Convention agree, as do The United States, not to occupy or colonize either Nicaragua, Costa Rica, the Mosquito Coast, or any part of Central America; but in consenting to these provisions, I know that I merely carry out the views and opinions of Her Majesty's Government, which have been already expressed on this subject, though in a less formal manner.

I do not pretend to say that the project of Convention thus submitted to your Lordship's consideration is such, either in its precise terms, arrangements, or enactments, as I should have myself proposed, or, if there had been more time for alteration and discussion, adopted. But it settles the main question immediately at issue, and also establishes a general basis for a common policy and perfect good understanding between ourselves and The United States in that portion of the world which has latterly been the scene of constant suspicions and angry rivalries on the part of our agents, and is, moreover, the record of great and noble views entertained and expressed by two great and kindred nations on one of the works most likely to commemorate our epoch, and to be of the utmost interest and importance to commerce and civilization.

For these reasons, I confess that I send it to your Lordship, with the humble confidence that it will, as a whole, meet with your

approval. At all events, I know that it is an arrangement which Mr. Laurence could hardly have made in England, and that I myself could not have made here except after much preparation and under favourable circumstances.

I may add, that it will probably be attacked with violence by the parties who are for supporting Mr. Monroe's famous doctrine at all hazards, and who contend that Mr. Hise's Convention is the only one that this country ought to adopt or sanction ; but, on the other hand, I think I can promise that it will be duly esteemed and approved of by the Senate, and carry with it the weighty sanction of all reasonable men.

Viscount Palmerston, G.C.B.

H. L. BULWER.

(Inclosure.)—Project of Convention respecting the Isthmus Canal.

THE United States of America and Her Britannic Majesty being desirous of consolidating the relations of amity which so happily subsist between them, by setting forth and fixing in a Convention their views and intentions with reference to any means of communication by ship-canal which may be constructed between the Atlantic and Pacific Oceans, by the way of the River San Juan de Nicaragua, and either or both of the Lakes of Nicaragua or Managua, to any port or place on the Pacific Ocean, the President of The United States has conferred full powers on John M. Clayton, Secretary of State of The United States, and Her Britannic Majesty on the Right Hon. Sir Henry Lytton Bulwer, Envoy Extraordinary and Minister Plenipotentiary of Her Britannic Majesty to The United States, for the aforesaid purpose ; and the said Plenipotentiaries having exchanged their full powers, which were found to be in proper form, have agreed to the following Articles :

ART. I. The Governments of Great Britain and The United States hereby declare that neither the one nor the other will ever obtain or maintain for itself any exclusive control over the said ship-canal, agreeing that neither will ever erect or maintain any fortifications commanding the same, or in the vicinity thereof, or occupy or colonize either Nicaragua, Costa Rica, the Mosquito Coast, or any part of Central America ; nor will Great Britain or The United States assume or exercise any dominion over the same, or take advantage of any intimacy, or use any alliance, connection, or influence that either may possess with any State or people through or by whose territory the said canal may pass, for the purpose of acquiring or holding, directly or indirectly, for the subjects or citizens of the one, any rights or advantages in regard to the commerce or navigation through the said canal, which shall not be offered on the same terms to the subjects or citizens of the other.

II. Vessels of Great Britain or The United States traversing the said canal shall, in case of war between the Contracting Parties,

be exempted from detention or capture by either of the belligerents, and this provision shall extend to such a distance from the 2 ends of the said canal as it may hereafter be found expedient to establish.

III. In order to secure the construction of the said canal, the Contracting Parties engage that if any such canal shall be undertaken upon fair and equitable terms by any parties having the authority of the Local Government or Governments through whose territory the same may pass, then the persons employed in making the said canal, and their property used or to be used for that object, shall be protected, from the commencement of said canal to its completion, by the Governments of The United States and Great Britain from unjust detention, confiscation, seizure, or any violence whatever.

IV. The Contracting Parties will use whatever influence they respectively exercise with any State or States, or with any people possessing, or claiming to possess, any jurisdiction or right over the territory which the said canal shall traverse, or which shall be near the waters applicable thereto, in order to induce such States or people to facilitate its construction by every means in their power. And furthermore, Great Britain and The United States agree to use their good offices wherever or however it may be most expedient, in order to procure the establishment of 2 free ports, one at each end of the said canal.

V. The Contracting Parties further engage that when any such canal shall have been completed, they will protect it from interruption, seizure, or unjust confiscation, and that they will guarantee the neutrality thereof, so that the said canal may for ever be open and free, and the capital invested therein secure. Nevertheless, the Governments of The United States and Great Britain, in according their protection to the construction of the canal which this Treaty specifies, and guaranteeing its neutrality and security when completed, always understand that this protection and guarantee are granted conditionally, and may be withdrawn by both Governments or either Government, if both Governments or either Government should deem that the persons or company undertaking or managing the same adopt or establish such regulations concerning the traffic thereupon as are contrary to the spirit and intention of this Convention; either by making unfair discriminations in favour of the commerce of one of the Contracting Parties over the commerce of the other, or by inflicting oppressive exactions and unreasonable tolls upon passengers, ships, or merchandise; neither party, however, shall withdraw the aforesaid protection and guarantee without first giving 6 months' notice to the other.

VI. The Contracting Parties in this Convention engage to invite every nation, state or people, with whom both or either have friendly

intercourse, to enter into stipulations with them similar to those which they have entered into with each other, to the end that the whole world may share in the honour and advantage of having contributed to a work of such general interest and importance; and the Contracting Parties likewise agree that each shall enter into treaty stipulations with such of the Central American nations, states, or people, as they may deem advisable for the purpose of more effectually carrying out the great design of this Convention; namely, that of constructing and maintaining the proposed ship-communication between the 2 oceans for the benefit of mankind, on equal terms to all, and of protecting the same; and they also agree that the good offices of either shall be employed, when requested by the other, in aiding and assisting the negotiation of such treaty stipulations.

VII. It being desirable that no time should be unnecessarily lost in commencing the great undertaking herein contemplated, the Governments of The United States and Great Britain determine to give their support and encouragement to such persons or company as may first offer to commence the same, with the necessary capital, the consent of the local authorities, and on such principles as accord with the spirit and intention of this Convention.

VIII. The Governments of The United States and Great Britain, in entering into the present Convention, have not only desired to accomplish a particular object, but also to establish a general principle; they therefore hereby agree to take under their consideration any project for a canal or railway which may be submitted to them, and which may have for its purpose to connect the Atlantic and Pacific, or to shorten and expedite the transit of persons, ships, or merchandise between the 2 great oceans: and should either of the 2 Governments deem it to be beneficial to the general interests of commerce and civilisation to extend its support, encouragement, or protection to such railway or canal, it will forthwith invite the other of the 2 Governments to be a joint party in affording such protection, support, or encouragement; and will neither request nor accept from any persons, company, or state, any advantages or privileges for its own citizens or subjects with respect to such railway or canal, which shall not be open for all other Governments to obtain for their citizens or subjects upon the same terms as those which are proposed to or accepted by itself.

J. M. CLAYTON.

H. L. BULWER.

No. 20.—Sir. H. Bulwer to Viscount Palmerston.—(Rec. Feb. 18.)
MY LORD, *Washington, February 3, 1850.*

I do myself the honour of inclosing to your Lordship the copy of a paper signed by Mr. Clayton and myself respecting the project of

Convention transmitted to your Lordship in my preceding despatch of this day's date.

Mr. Clayton is most anxious to get an answer from your Lordship earlier than the 10th of April, although he has, at my solicitation, fixed that day as the one up to which he will expect one.

I have, &c.

Viscount Palmerston, G.C.B.

H. L. BULWER.

(Inclosure.)—*Paper signed by Mr. Clayton and Sir Henry Bulwer respecting Project of Convention.*

THE Undersigned, deeming it of the highest importance to the friendly relations between their 2 countries to fix the attention of their respective Governments upon the terms on which a great and solid basis of amity may be established between them, and finding it necessary that this should be done with the least possible delay, if any advantages are to be derived therefrom, have drawn up and signed, as a token of their own opinions, and for the immediate consideration of their Governments, the project of a Convention, in the full form and shape of a Convention, which is this day transmitted by mail to England.

If this project be approved of by the Government of Her Britannic Majesty and the Government of The United States, on or before the 10th of April next (1850), it shall then forthwith be converted into a solemn Treaty binding between the 2 States.

But if, on the contrary, it should not be fully approved of by either or both these Governments on or before the 10th of April, 1850, it is then fully agreed, understood, and declared by the Undersigned that the said project is to be considered as altogether null and void; and that all that has passed relative thereto shall be held as if it had never taken place.

J. M. CLAYTON.

H. L. BULWER.

No. 21.—*Sir H. Bulwer to Viscount Palmerston.*—(Rec. March 4.)
(Extract.)

Washington, February 18, 1850.

I INCLOSE to your Lordship an extract from the Reports of Congress, which will show to you the efforts that are being made to have the papers relative to Nicaragua laid before the Senate, and the refusal of the President to comply at present with this desire.

I am happy to say that in thus much the agreement I came to with Mr. Clayton has been most advantageous.

Mr. Clayton, however, informed me a day or two ago, that some of his colleagues wish for alterations in the project which I had transmitted to you the week previous. This circumstance could not but occasion me considerable surprise, since the fact of his being the

official organ of the President on foreign affairs, and residing on the spot where the Government was sitting, made me naturally conclude that anything suggested and signed by him would, when the proper time came, receive a general assent from his Cabinet.

Without, however, further dilating upon this subject, I shall proceed to state the views which Mr. Clayton says that some of his colleagues express.

These gentlemen, he observes, say that though we (the English) declare that Great Britain will never fortify or colonize in the vicinity of the projected canal, a declaration also made by The United States, still as long as the territory bordering thereupon is in the hands of the Mosquitos, many will contend that we mean to do under another name that which we engage we will not do under our own; and that this argument will receive colour and force from the fact that the Mosquitos are not able to establish a Government for themselves, and that the governing Council of the Mosquitos is entirely composed of Englishmen, which Council, nominally Mosquito, actually English, might build forts, establish colonies, and then call upon the protection of Great Britain.

For these reasons, says Mr. Clayton, some of the members of the Government contend that farther explanations or stipulations should accompany, or be embodied in, any Treaty of settlement between the 2 countries; and they are furthermore anxious, in order to prevent all future disputes or difficulties, that some arrangement should be come to as to that part of the territory now held by the Mosquitos which extends along the River San Juan; so that the Mosquitos might be induced to abandon their claim on a fair consideration, and thus the complicated question of the British protectorate be altogether set at rest.

These observations undoubtedly come late, the whole of this subject having been frequently reviewed by Mr. Clayton and myself, and we both of us deeming that at the present time the Treaty in question did all that was necessary by settling a basis on which the canal could be constructed and protected.

I must add that such, I understand, is the opinion of the parties most concerned in the canal, and also the opinion of some leading statesmen of this country.

At the same time our intention in this matter is not to drive a bargain (indeed, we do not attempt this in the Convention proposed), but to come to the most friendly and satisfactory settlement of a debated question; that question being debated between us and a country with which we on every account desire to cultivate the most amicable relations.

I confess, therefore, that although I think it impossible for us now to give up the country claimed by the Mosquitos to the

Nicaraguans on any pretext or in any manner whatsoever, or to abandon this people for any object, or under the aspect of any danger, to extermination, or to the hostility of any class of enemies; yet, on the other hand, I deem that the more we can do, consistently with our own credit and the safety of the Mosquitos, in furtherance of the contemplated ship-communication, and in demonstration of the fact that we neither claim nor seek exclusive benefits or control over the same, the better we shall manifest the feelings which I know your Lordship to entertain.

I ought not, moreover, to disguise from your Lordship that this question is becoming, the longer it remains in abeyance, the more intricate and perplexing; and that it contains within it, if not the seeds of actual war, the seeds of such hostile and angry excitement as render war always possible, and very often produce many of the evils of war, even when war itself is not produced.

It is with all these considerations before me that I venture to request your Lordship's permission, should the arrangement submitted to you meet in general with your approbation, to accompany it with such explanation, or add thereto such clause (should this be necessary for a settlement) as might, whilst preserving the perfect consistency of Her Majesty's Government and that honour and character which is to a State above all considerations, yet satisfy in a certain degree those suspicions which our present position, as to the Mosquitos, calls forth, and which it is the more desirable to banish since we really have no intention to profit by our connection in the manner that is supposed.

I am bound to add my opinion that if nothing is done, and even that if nothing is done speedily, to set this business at rest, and bring it to an amicable conclusion, the tone of opinion on this side of the Atlantic will raise it ere long into very serious importance.

Viscount Palmerston, G.C.B.

H. L. BULWER.

(Inclosure.)—Extract from the Reports of Congress.

THE NICARAGUA QUESTION.

Washington, February 13, 1850.

THE Vice-President laid before the Senate the following Message from the President of The United States:

To the Senate of The United States:

We have received a resolution of the Senate of the 28th ultimo, requesting "the President of The United States to cause to be laid before the Senate (in open session, if, in his opinion, consistent with the public interest, otherwise in Executive session) copies of all instructions and communications of the late Secretary of State to our late Chargé d'Affaires at Guatemala, and all despatches and communications from said Chargé d'Affaires to the Department of

State, including any Conventions or Treaties he may have concluded with either of the States comprising the late Republic of Central America; and also all correspondence between our said Chargé d'Affaires and the Governments or Representatives of either of said States; and also all communications and instructions from the present Secretary of State to our late Chargé d'Affaires or our present Chargé d'Affaires to either of said States; and of all despatches or communications from our Chargé d'Affaires to the Department of State, including any Conventions or Treaties he may have concluded with either of said States; and also all correspondence between the Department of State and either of said Chargé d'Affaires touching the so-called kingdom of the Mosquitos and the right of way from the Atlantic through Lake Nicaragua." The information called for by this resolution will be cheerfully communicated to the Senate as soon as it shall be found to be compatible with the public interest.

Z. TAYLOR.

Mr. King. I imagine, Sir, from hearing the message read, that those papers relate to a subject which is still under discussion between this Government and the Government of Great Britain, and it is probable that a great many of these papers are of a character that ought not to be printed and made public until they have been examined by a committee.

The Vice-President. The Chair begs leave to state that there are no papers accompanying the message. It is a message declining to furnish them.

Mr. King. I was under the impression that they had been communicated; but, Sir, I submit to the Senate whether it would not be best that the Committee on Foreign Relations should have the subject before them. If they think so, I will move the reference of the message to the Committee on Foreign Relations, that they may determine whether it would be well, in the present state of things, when negotiations are going on, to have these papers thrown before the country, which might embarrass the proceedings.

Mr. Douglas. I hope it will be referred to that Committee, and that they will inquire whether the reports which we have seen in the newspapers are true, that more than 6 months ago Treaties were made and Conventions entered into between Nicaragua and this Government, by which extensive advantages were secured to The United States, and by which we had the right to make a canal across the Isthmus of Nicaragua, and to build up important posts to defend it. I wish it to be known whether these Treaties have been suppressed and withheld from the Senate. I hope the Committee will inquire whether these advantages are about to be surrendered,

and we are to be voluntarily divested of them, and whether they are to be given up to another country without compensation. I hope they will inquire into all these things; and it is for this reason that I hope the reference will be made.

Mr. Foote. I move that the message be laid on the table for the present, for the reason just stated. I will offer at another time certain resolutions, and will submit the motion that they be sent to the Committee on Foreign Relations, which resolutions shall embrace the subject referred to by the honourable Senator from Illinois.

The motion to lay the message on the table was agreed to.

No. 22.—Viscount Palmerston to Sir Henry Bulwer.

(Extract.)

Foreign Office, March 8, 1850.

I HAVE received your despatch of the 6th of January, respecting the proceedings of Mr. Squier in regard to the Central American State of Honduras, and I have to acquaint you that Her Majesty's Government approve the language which you held to Mr. Clayton upon these matters.

Sir Henry Bulwer.

PALMERSTON.

No. 23.—Viscount Palmerston to Sir Henry Bulwer.

SIR,

Foreign Office, March 8, 1850.

WITH reference to your despatch of the 6th of January, stating that Mr. Clayton has expressed to you his willingness to concur with Her Majesty's Government in instructing the agents of Great Britain and of The United States in Central America to abstain from acting in a spirit of rivalry, I transmit herewith, under flying-seal 2 despatches which I have addressed to Mr. Chatfield and to Mr. Green in conformity with Mr. Clayton's proposal, and if he should concur in sending similar instructions to The United States' agents in Central America, you will forward the inclosed despatches to their respective destinations.

I am, &c.

Sir Henry Bulwer.

PALMERSTON.

(Inclosure 1.)—Viscount Palmerston to Mr. Chatfield.

SIR,

Foreign Office, March 8, 1850.

IN my despatches of the 16th of November last and of the 28th ultimo, I transmitted to you copies of the correspondence which had passed between me and Mr. Abbot Laurence, The United States' Minister at this Court, respecting the views and intentions of Her Majesty's Government in regard to Central America, and respecting the occupation by Commander Paynter, and the subsequent surrender by Admiral Hornby, of Tigre Island in the Bay of Fonseca.

The contents of those despatches will have shown you clearly

that there exists no intention on the part either of Great Britain or of The United States that the agents of either of the 2 countries should endeavour to obtain for their respective Governments any peculiar or exclusive advantages whatever in the Republics of Central America, or that they should seek to establish the dominion either of Great Britain or of The United States in any part of Central America.

I have now to acquaint you that I have received a despatch from Sir Henry Bulwer, Her Majesty's Minister at Washington (a copy of which is sent herewith), stating that Mr. Clayton, the Secretary of State of The United States, has expressed to him his willingness to concur with Her Majesty's Government in instructing the respective agents of the British and United States' Governments in Central America not only to abstain from placing themselves at the head of rival parties in that country, for the purpose of counter-acting the supposed projects of each other, but, on the contrary, to lend to each other mutual assistance, so far as may be practicable, in promoting the objects of general interest which their respective Governments may contemplate.

Her Majesty's Government have readily acquiesced in this proposal, and I have accordingly to instruct you to act in conformity with the views pointed out in Sir Henry Bulwer's despatch, and in the correspondence above referred to; and you will take every opportunity of co-operating with the agents of The United States in order to place the relations of the 2 countries, in regard to the affairs of Central America, upon a footing of cordial friendship.

I am, &c.

F. Chatfield, Esq.

PALMERSTON.

(*Inclosure 2.*)—*Viscount Palmerston to Mr. Green.*

SIR,

Foreign Office, March 8, 1850.

IN my despatches of the 16th of November last and of the 8th instant, I transmitted to you copies of the correspondence which had passed between me and Mr. Abbot Laurence, The United States' Minister at this Court, respecting the views and intentions of Her Majesty's Government in regard to Central America, and respecting the occupation by Commander Paynter, and the subsequent surrender by Admiral Hornby, of Tigre Island, in the Bay of Fonseca.

The contents of those despatches will have shown you clearly that there exists no intention on the part either of Great Britain or of The United States that the agents of either of the 2 countries should endeavour to obtain for their respective Governments any peculiar or exclusive advantages whatever in the Republics of

Central America, or that they should seek to establish the dominion either of Great Britain or of The United States in any part of Central America.

I have now to acquaint you that I have received a despatch from Sir Henry Bulwer, Her Majesty's Minister at Washington (a copy of which is sent herewith), stating that Mr. Clayton, the Secretary of State of The United States, has expressed to him his willingness to concur with Her Majesty's Government in instructing the respective agents of the British and United States' Governments in Central America, not only to abstain from placing themselves at the head of rival parties in that country, for the purpose of counter-acting the supposed projects of each other, but, on the contrary, to lend each other mutual assistance, as far as this may be practicable, in promoting the objects of general interest which their respective Governments may contemplate.

Her Majesty's Government have readily acquiesced in this proposal; and I have accordingly to instruct you to act in conformity with the views pointed out in Sir H. Bulwer's despatch, and in the correspondence above referred to; and you will take every opportunity of co-operating with the agents of The United States in order to place the relations of the 2 countries, in regard to the affairs of Central America, upon a footing of cordial friendship.

I am, &c.

J. Green, Esq.

PALMERSTON.

No. 24.—Viscount Palmerston to Sir Henry Bulwer.

SIR,

Foreign Office, March 8, 1850.

I HAVE received your despatch of the 3rd ultimo, in which you state the reasons which had induced you to enter with the American Secretary of State into a full consideration of the questions connected with the proposed plan for establishing a communication between the Atlantic and Pacific Oceans, by a ship-canal, by way of the River San Juan de Nicaragua and the Lakes of Nicaragua and Managua; and you inclose the draft of a Convention on this subject which has been agreed upon between you and Mr. Clayton, subject to the approval of Her Majesty's Government.

I have to acquaint you that Her Majesty's Government entirely approve of the course which you have pursued in this important affair. You are therefore authorized to sign, on the part of Her Majesty, the Convention of which the draft is inclosed in your despatch above mentioned; and in order to enable you to do so, I transmit to you a full-power, which the Queen has been pleased to grant to you under the Great Seal, constituting you her Plenipo-

tentiary for this negotiation, or for any other negotiation with The United States that may arise during your mission.

I have also to instruct you to deliver to the American Plenipotentiary, at the time of the signature of the Convention, a note stating that you have received the express order of your Government to declare, with reference to the engagement taken by my letter to Mr. Lawrence, dated the 13th of November last, a copy of which was inclosed in my despatch to Mr. Crampton of the same date, that the British Government has no intention to make use of the protection which Great Britain affords to the people of Mosquito, for the purpose of doing, under cover of that protection, any of the things the intention to do which is disclaimed in the letter to Mr. Laurence above referred to.

The exchange of the ratifications of the Convention may be fixed to take place as soon as possible, either at Washington or at London, as may be deemed most convenient by you and Mr. Clayton.

After the Convention shall have been signed and ratified, Her Majesty's Government will be happy to concert with the Government of The United States as to the mode and form in which the engagement contained in Article VI of the draft of Convention shall be carried into effect; whether by Treaties with other Powers, comprising stipulations in harmony with those contained in the proposed Convention between Great Britain and The United States, or by Treaties of Accession. If Treaties of Accession should be adopted, the Convention should be annexed to each of such Treaties, accompanied by an engagement to adopt the principles and stipulations therein recorded, so far as they may be applicable to the acceding Power.

I am, &c.

Sir Henry Bulwer.

PALMERSTON.

No. 25.—Viscount Palmerston to Sir Henry Bulwer.

SIR,

Foreign Office, March 8, 1850.

WITH reference to my preceding despatch of this date, conveying to you the instructions of Her Majesty's Government to sign the Convention with The United States relating to the communication across the Isthmus of Nicaragua, of which a draft was inclosed in your despatch of the 3rd ultimo, I have further to state to you, that as soon as you shall report that the Senate of The United States has authorized the President to ratify that Convention, the Queen's ratification will be prepared, and will be sent to you, if the exchange of the ratifications be fixed to take place at Washington.

I am, &c.

Sir Henry Bulwer.

PALMERSTON.

No. 26.—*Sir H. Bulwer to Viscount Palmerston.*—(Rec. March 19.)
(Extract.) *Washington, March 2, 1850.*

I TOOK a recent occasion of asking Mr. Clayton what he desired me to say to your Lordship respecting the proceedings of Mr. Squier, and the sort of Treaty taking Tigre Island under the protection of The United States, made by that gentleman.

Mr. Clayton replied, that The United States' Government had certainly not approved of the conduct of Mr. Squier, since he had made the Convention in question without having received any instructions that could authorize such a step; and had, moreover, declared it to be valid and in force without having previously referred it to the sanction or approval of the Government which employed him. He added, that the Commodore commanding the Honduras Station had been applied to by Mr. Squier to support his proceedings, but had altogether declined doing so, on the ground that he could see nothing either in his own or Mr. Squier's instructions to justify him in such a course. With respect to the Treaty itself, The United States' Government, added Mr. Clayton, had no intention to adopt or accept it, if he (Mr. Clayton) could come, as he hoped, to a good understanding with Great Britain as to the general policy to be pursued in Central America; but that of course he could not bind himself against pursuing any policy he might deem desirable, if the negotiations, which he was anxious to see happily concluded, should not be brought to a favourable termination.

Viscount Palmerston, G.C.B.

H. L. BULWER.

No. 27.—*Sir H. Bulwer to Viscount Palmerston.*—(Rec. March 19.)
(Extract.) *Washington, March 2, 1850.*

I BEG to inform your Lordship that Mr. Clayton asked me the other day whether Mr. Chatfield had really made a Treaty with the Republic of Costa Rica, taking that Republic under British protection, since such a course would be contrary to the principles which your Lordship had stated on one occasion to Mr. Laurence, and the fact which he understood Mr. Laurence to convey, viz., that your Lordship had refused to accept the Protectorate of Costa Rica when it was offered to you.

I told Mr. Clayton that I did not believe, from the opinions on such subjects which I had heard your Lordship express, that you could have authorized Mr. Chatfield to make any Treaty placing the Republic of Costa Rica under the protection of Her Majesty.

Viscount Palmerston, G.C.B.

H. L. BULWER.

No. 28.—Viscount Palmerston to Sir Henry Bulwer.

(Extract.)

Foreign Office, March 22, 1850.

WITH reference to your despatch of the 2nd instant, reporting the answer returned by you to Mr. Clayton's inquiry, whether it was true that Mr. Chatfield had made a Treaty with Costa Rica, taking that Republic under British protection, I have to acquaint you that Her Majesty's Government entirely approve the language held, and the assurance given by you to Mr. Clayton upon that occasion; and I have to authorize you to state to Mr. Clayton that the British Government has not concluded any Treaty or arrangement with Costa Rica for taking that State under British protection, and that the British Government has no intention whatever of doing so.

The language which I have, from the first, held to the agent from Costa Rica is, that Her Majesty's Government most sincerely wishes to see Costa Rica prosperous, happy, and independent, but have no desire whatever to interfere in any way in the affairs of that Republic.

Sir Henry Bulwer.

PALMERSTON.

No. 29.—Sir H. Bulwer to Viscount Palmerston.—(Rec. April 16.)

MY LORD,

Washington, March 31, 1850.

I HAVE the honour to acknowledge the receipt of your Lordship's despatch of the 8th instant, inclosing 2 despatches, to be forwarded to Mr. Chatfield, Her Majesty's Agent and Consul-General at Guatemala, and to Mr. Green, Acting British Consul-General at Greytown, respecting the policy to be pursued by those gentlemen in Central America, provided that The United States' Government are willing to send similar instructions to its Agents in that part of the world; and I inclose to your Lordship a copy of a note which I have addressed on this subject to Mr. Clayton, who has informed me, verbally, that in 2 or 3 days he shall be able to show me the despatches he means to forward to Mr. Squier, who, I furthermore understand, will not long remain at his present post.

I have, &c.

Viscount Palmerston, G.C.B.

H. L. BULWER.

(Inclosure.)—Sir Henry Bulwer to Mr. Clayton.

SIR,

British Legation, March 28, 1850.

I COMMUNICATED to Lord Palmerston, on the 6th of January last, the willingness which you then expressed to send, in conjunction with Her Majesty's Government, such instructions to the respective agents of Great Britain and the United States in Central America, as would clearly explain to those agents that neither Great

Britain nor The United States entertained any idea of acquiring peculiar or exclusive advantages for themselves or their citizens in that part of the world, or of obtaining any addition to their respective power and dominion therein, so that the aforesaid agents might fully understand that it was their duty to lend each other mutual assistance in the transaction of the business with which their several Governments might charge them, instead of entering into a state of idle rivalry, exceedingly prejudicial to the transaction of such business, and altogether out of place when it proceeds from the attempt to counteract projects which have no real existence.

I now transmit to you, inclosed, the copy of a communication from Lord Palmerston to Mr. Chatfield, Her Majesty's Agent and Consul-General at Guatemala, and also another to Mr. Green, Her Majesty's Acting Consul-General at Greytown, which have been sent to me by his Lordship, with instructions to forward the same to their destination, provided the views they express correspond with the instructions which you yourself are prepared to send to your own agents in Central America.

It gives to me great pleasure to make to you the above communication.

You know that I have always considered it the object of my mission not merely to continue a good understanding between the 2 States, but to make their friendly relations correspond with the kindred ties which bind them together.

The great objects of both are the maintenance of peace, the cultivation of trade, the extension of civilisation. Their mutual glory and prosperity are combined in one policy, which to be pursued most advantageously must be pursued in common. It would be well that this conviction should prevail everywhere, but it is especially desirable that it should prevail amongst those who represent us in such States as are perpetually torn by their own divisions, and in which the example of reason, moderation, and concord, in the pursuit of useful objects, would be as honourable to our national character as profitable to our commercial interests.

Hoping that in some small degree we may both be able to contribute to a result so creditable to ourselves and so useful to the countries which we serve.

I avail, &c.

J. M. Clayton, Esq.

H. L. BULWER.

No. 30.—*Sir H. Bulwer to Viscount Palmerston.*—(Rec. April 16.)
MY LORD, *Washington, March 31, 1850.*

I HAVE had the honour of receiving your Lordship's despatch of the 8th instant, and have communicated the contents thereof to Mr. Clayton, who has stated to me that he entertains a strong hope

that the President will, during the next week, authorise him to sign the Convention which your Lordship has given me authority to conclude.

I have, &c.

Viscount Palmerston, G.C.B.

H. L. BULWER.

No. 31.—Sir H. Bulwer to Viscount Palmerston.—(Rec. April 16.)

MY LORD,

Washington, March 31, 1850.

IT will become necessary, if The United States' Government agree to the Convention your Lordship has authorised me to conclude with it, to alter the Treaty made by Mr. Squier with the Republic of Nicaragua; and it would also perhaps be advisable, and at all events is deemed by Mr. Clayton very advisable, that Great Britain should make a Treaty with Nicaragua, similar to that which will in such case be made by The United States.

Already the Nicaraguan Chargé d'Affaires has been told to apply for powers to conclude a new Treaty with this State, and Mr. Clayton has wished me to ascertain whether your Lordship would allow me to conclude with the Nicaraguan agent referred to, a Treaty similar to that which The United States itself agrees to, if the said agent should receive powers for such a contingency, and the arrangements between Nicaragua and The United States should be such as your Lordship could adopt for Great Britain.

I have, &c.

Viscount Palmerston, G.C.B.

H. L. BULWER.

No. 32.—Sir H. Bulwer to Viscount Palmerston.—(Rec. April 16.)

(Extract.)

Washington, March 31, 1850.

WITH reference to my previous despatch of this date, I should mention that I have learnt from a source which leaves me no room to doubt of the accuracy of my information, that Mr. Clayton, on receiving a despatch from Mr. Laurence, including one from your Lordship, relative to the temporary occupation of Tigre island, sent the Treaty of Mr. Squier with the State of Nicaragua to the Senate—a fact of which he never informed me, though I think, after what had passed, he should have done so.

This conduct is the more surprising, since I had every reason to believe, from what Mr. Clayton had told me, that the aforesaid Treaty would not and could not in its present form be laid before Congress.

It appears, however, that the Secretary of State would persist, notwithstanding all I told him to the contrary, in considering your Lordship's note to Mr. Laurence a declaration that the British Government would seize and occupy, and claim dominion over any parts of Central America that it thought proper, and that conse-

quently your Lordship would not agree to the great principle of the Treaty which was sent home to be submitted to you, or give me such instructions as would enable me to carry it out.

I think there is fair ground for complaint against Mr. Clayton in this particular; but I take it as the better principle to avoid complaints as to past conduct, when a friendly feeling in the future can remedy the mischief of previous error.

I have not therefore made any reproaches to Mr. Clayton on account of the inconvenience which he has doubtless placed in the way of our negotiation by communicating Mr. Squier's Treaty to the Senate previous to ascertaining fully your Lordship's views, since I found that the expression of those views as it has now reached me has dispelled the erroneous ideas as to English policy which the Government here for a moment entertained.

Moreover, as Mr. Squier's Treaty is as yet only in the hands of the Secret Committee of Foreign Affairs in the Senate, and not publicly known to Congress, it is by no means difficult to make alterations in it; and I have reason to think that The United States' Government is disposed to make such alterations therein as may be necessary to prevent its clashing with the more important Convention which may be concluded with Great Britain. Upon the whole, I am inclined to think I shall be able to announce to your Lordship by the next packet that, as far as Mr. Clayton and The United States' Government are concerned, the business in question is settled.

Viscount Palmerston, G.C.B.

H. L. BULWER.

No. 33.—Viscount Palmerston to Sir Henry Bulwer.

SIR,

Foreign Office, May 10, 1850.

I HAVE received your despatch of the 28th of March last, inclosing a copy of a letter which you had addressed to Mr. Clayton, the American Secretary of State, upon the occasion of your communicating to him copies of the instructions which I have addressed to Mr. Chatfield and to Mr. Green respecting the policy which Her Majesty's Government intend to pursue with regard to Central America. And I have to state to you that Her Majesty's Government entirely approve of your letter to Mr. Clayton upon that subject.

I am, &c.

Sir Henry Bulwer.

PALMERSTON.

No. 34.—Viscount Palmerston to Sir Henry Bulwer.

SIR,

Foreign Office, May 10, 1850.

I HAVE received your despatch of the 31st of March, stating that Mr. Clayton had inquired whether Her Majesty's Government might be disposed to authorize you to sign, with the Nicaraguan

Chargé d'Affaires at Washington, a Treaty similar to that which The United States' Government proposes to conclude with Nicaragua, if the arrangements between The United States and Nicaragua should be such as Her Majesty's Government could adopt.

I have to state to you in reply, that Her Majesty's Government are not disinclined to treat with the Government of Nicaragua, but Her Majesty's Government could not conclude a Treaty with that State which should have the effect of admitting any pretensions of Nicaragua in regard to Greytown, or which should settle in favour of Nicaragua, and without due respect for the just rights of Costa Rica, any of the questions in dispute between Nicaragua and Costa Rica.

I am, &c.

Sir Henry Bulwer.

PALMERSTON.

No. 35.—Sir H. Bulwer to Viscount Palmerston.—(Rec. May 14.)

MY LORD,

Washington, April 28, 1850.

I HAVE now the honour of inclosing to your Lordship the copy of the Treaty which I concluded definitively with Mr. Clayton on the 19th of this month, and for signing which that gentleman received full powers from the President of The United States.

I have, &c.

Viscount Palmerston, G.C.B.

H. L. BULWER.

(Inclosure.)—Convention between Her Majesty and the United States of America relative to the Establishment of a Communication by Ship-canal between the Atlantic and Pacific Oceans.—April 19, 1850.

[See Vol. XXXVIII. Page 4.]

No. 36.—Sir H. Bulwer to Viscount Palmerston.—(Rec. May 14.)

(Extract.)

Washington, April 28, 1850.

IN my preceding despatch of this day, I have inclosed your Lordship the Convention concluded between myself and Mr. Clayton on the 19th of this month.

Your Lordship will see some slight differences between the Treaty actually signed, and the project of a Treaty originally sketched out by Mr. Clayton and myself. But I have been guided by what I understood to be the general views, intentions, and wishes of Her Majesty's Government, and have taken upon myself in the present instance, as in the former one, such limited responsibility as the circumstances seemed to require.

Such a course was indeed necessary, because if the Convention is to pass through the Senate this year, no further time can be lost in laying it before that body, and also because the Treaty made by

Mr. Squier with Nicaragua being already in the Senators' hands, it is important that the Convention with us, which must necessarily modify that of Mr. Squier, should also be in their possession.

Your Lordship will perceive by the notes which passed between myself and Mr. Clayton, copies of which are herewith inclosed, that I consider it a subject of regret that the one Treaty should have been submitted to the Senate before the other, and that the two should not have been both presented together, and in such a state as to have avoided all possibility of their clashing. I am indeed bound to observe, that I did understand from Mr. Clayton, when I first entered into negotiations with him, that such would be the case, and the President's Message followed close upon this understanding. I learnt, therefore, with surprise, that the Treaty concluded on the 3rd of September last with the State of Nicaragua, had been communicated to the Senate.

But I have deemed it useless to express more than regret at this incident, since Mr. Clayton, in his communication to me, gives the assurance that "should the Senate confirm the Treaty with Great Britain, it will take care that any other Treaty also confirmed by it shall be in conformity therewith, and that it is unnecessary for him to say that nothing in one of these Treaties could be ratified which would be inconsistent with the spirit and intention of the stipulations contained in the other."

Viscount Palmerston, G.C.B.

H. L. BULWER.

(*Inclosure 1.*)—*Mr. Clayton to Sir Henry Bulwer.*

SIR,

Washington, April 19, 1850.

I HAVE now the honour to submit to you, in a shape in which I am authorized by the President to sign the same, the project of the Convention which originated in our mutual conferences and consultations shortly after your arrival in this country.

I presume, from the information you recently gave me as to the instructions which you had received from Her Britannic Majesty's Government, that you are duly authorized, and will be ready to concur in the said Convention; in which case a time can be at once fixed for our common signature.

I have further to observe that, at a period when, in consequence of circumstances not now necessary to be stated, it was supposed that no such arrangement would be entered into between our respective countries as that which we are now about to conclude, the Treaty negotiated by this Government with the State of Nicaragua on the 3rd day of September last (a copy of which, so far as it relates to the proposed ship-canal, was transmitted by Mr. Laurence to Lord Palmerston on the 22nd day of November last), was submitted to the Senate for advice in regard to its ratification.

This Treaty is now in the possession of the senators, who, as the President's constitutional advisers in the exercise of the Treaty-making power, from a co-ordinate branch of the Government; and as no Treaty can be made without their advice and consent, that which you and I have originated must be submitted to them in connection with the Treaty above referred to. Whatever the Senate may decide in reference to either of these Treaties, the President will not, I am persuaded, have occasion to controvert. He does not doubt, should the Senate confirm the Treaty with Great Britain, that it will take care that any other Treaty also confirmed by it shall be in conformity therewith; and it is unnecessary for me to say, that nothing in any one of these Treaties could be ratified which would be inconsistent with the spirit and intention of the stipulations contained in the other,

The friendly relations between the 2 greatest commercial nations of the world will, I trust, be strengthened by this new bond of union between them; and I anticipate the happiest results from their honourable and peaceful alliance for the purpose of diffusing the blessings of commerce and civilization.

It is exceedingly gratifying to me that a new Treaty, likely to be so important in its results, should have been the consequence of our friendly intercourse; and I cannot terminate this negotiation without those mutual congratulations which the occasion warrants, and the sincere expression of that esteem and regard which have been created by the assistance you have given me in bringing our labours to a happy conclusion.

Accept, &c.

Sir Henry Bulwer.

J. M. CLAYTON.

(*Inclosure 2.*)—*Sir Henry Bulwer to Mr. Clayton.*

SIR, *British Legation, Washington, April 19, 1850.*

I HAVE had the honour of receiving your communication of the 19th instant, inclosing the project of a Convention between the 2 Governments of Great Britain and The United States, which originated in our mutual conferences and consultations shortly after my arrival in this country, and which you now state to be in such a shape as enables you to sign the same with the full approbation of the President. I need not observe, after reading through the project in question as now transmitted to me, that I have to remark therein some slight deviations from the original text of the project which I submitted to Viscount Palmerston's approval, but as it is important that in the present situation of this affair no further time should be lost in bringing it to a conclusion, and as the alterations I thus allude to are merely verbal, and in accordance with the general spirit of my instructions, and have been adopted by us

conjointly for various reasons, which have appeared expedient for the furtherance of those objects which our Treaty specifies, I am prepared to sign the said Treaty on behalf of Her Britannic Majesty's Government, and will do so at such time as you may appoint for that purpose.

In regard to the other portions of your communication, I might perhaps be justified in expressing some regret that any Treaty connected with the subject engaging our attention should have occupied the consideration of the Senate before the Convention we are about to sign had been submitted to it. But such is my profound conviction of the great judgment and ability which illustrate the distinguished body before which these Treaties will be brought, as well as my confidence in the superintending wisdom of the President, in whom resides the power of ratification, that I do not in the least fear but that the Convention which we sign will receive every due consideration; and that if it should be finally approved of by the one and ratified by the other, nothing will be approved of or ratified in any other Treaty contrary to the spirit and intentions manifest in our engagements.

Permit me to add, that I entirely sympathise with you in the belief that the bonds of friendship which unite our 2 great and kindred nations will be honourably strengthened by a Convention which has for its object the construction and protection of a great work, which we intend should confer equal benefits on all the nations of the earth.

Indeed, the whole Treaty which we are now about to conclude manifests a spirit of conciliation and peace, of generous and unselfish zeal in the universal interests of commerce and civilization that will, I am persuaded, do credit to our respective countries, and afford no unworthy example to the world.

It is, I can assure you, a subject of sincere gratification to me, that in negotiating a measure which so completely represents the views of Her Majesty's Government, I had the advantage of being associated with you; and although I claim but a small share in the merit of bringing this important business to a happy termination, I shall always remember with pride and pleasure the negotiation in which we have been engaged together, were it only on account of the expressions of esteem and regard with which you honour me, and which faithfully represent the feelings of sincere friendship and high consideration which I avail myself of this opportunity to offer to you.

J. M. Clayton, Esq.

H. L. BULWER.

No. 37.—Sir H. Bulwer to Viscount Palmerston.—(Rec. May 14.)
(Extract.) *Washington, April 28, 1850.*

IN my previous despatch of this day I have informed your Lordship of my having concluded a Treaty with Mr. Clayton respecting the construction of a ship communication between the 2 oceans of the Atlantic and Pacific, and I have there stated to your Lordship that there are some slight differences between the original project transmitted home on the 3rd of February and the Treaty now concluded.

I have thought it better to explain the nature of these changes, and my reasons for adopting them, in a separate despatch; and I shall do so, rather according to the manner and time in which they were made, than according to the place in the Convention in which they occur.

The first, therefore, I shall refer to is in Article VI, to which are added the words: "And should any differences arise as to right or property over the territory through which the said canal shall pass between the States or Governments of Central America, and such differences should in any way impede or obstruct the execution of the said canal, the Governments of Great Britain and The United States will use their good offices to settle such differences in the manner best suited to promote the interests of the said canal, and to strengthen the bonds of friendship and alliance which exist between the Contracting Parties."

This addition, in reconsidering the matter, was deemed both by myself and Mr. Clayton an advantage to the Treaty, and a sort of guarantee against future unfriendly disputes between the 2 Governments as to the subject referred to.

The second addition agreed to is in Article VII, to which has been added: "And if any persons or company should already have, with any State through which the proposed ship canal may pass, a contract for the construction of such a canal as that specified in the Convention; to the stipulations of which contract neither of the Contracting Parties in this Convention have any just cause to object; and the said persons or company shall, moreover, have made preparations and expended time, money, and trouble on the faith of such contract, it is hereby agreed, that such persons or company shall have a priority of claim over every other person, persons, or company, to the protection of the Governments of Great Britain and The United States, and be allowed a year from the date of the exchange of the ratifications of this Convention for concluding their arrangements, and presenting evidence of sufficient capital subscribed to accomplish the contemplated undertaking, it being understood that if, at the expiration of the aforesaid period, such persons or

company be not able to commence and carry out the proposed enterprise, then the Governments of Great Britain and The United States shall be free to afford their protection to any other persons or company that shall be prepared to commence and proceed with the construction of the canal in question."

I should here state to your Lordship that, when the Treaty was placed under the notice of the Chairman of the Committee on Foreign Relations in the Senate, a gentleman of great weight and of the more importance since he belongs to the dominant party in the Chamber of which he is a member, considered that it would only be fair that the 2 Governments should give an open and avowed preference by name to an American Company which had first conceived and taken steps to carry out the proposed undertaking. This I objected to; but I deemed there could be no objection to giving to any company, under certain fair conditions such as are specified, the preference that was sought, although those conditions applied to a company that was American. In this manner a sort of compromise was effected.

The third alteration adopted is in Article VIII, the whole of which Article is remodelled.

This alteration, I must say, was the effect of the joint opinion of Mr. Clayton and myself, both thinking that the Article, as amended, was better and more clear, referring especially to two lines of communication which seem the most likely to be adopted, and securing thereby a considerable support to the Convention in general, many persons being interested in the Panamá and Tehuantepec projects.

The only other change which it is worth while remarking upon occurs the first in the body of the Treaty, but was the last mooted or adopted. Your Lordship will perceive it by casting your eye over Article I, in which a passage is inserted between the words "Central America," which close the second line in the page down to "nor will Great Britain or The United States take advantage of any," &c., which occurs in the third line from the bottom of the said page, some few words having been left out to admit of the aforesaid passage. The manner in which this change was effected was as follows:

It struck me that the declaration or note mentioned by your Lordship bound our Government as to its protection over the Mosquitos, but did not bind The United States' Government as to its protection over such other States, even Nicaragua, as it might hereafter form an especial alliance with. Moreover, the pledge that we would not do covertly what we had declared we would not do directly, seemed to me a pledge that it would be more suitable and

becoming that both parties should take than that one alone should take.

With these views instead of presenting the note, I embodied in the Treaty the substance of the declaration given by your Lordship to Mr. Laurence, constructing that declaration so as to apply to any Government or people we do or may protect, and also to any Government or people that The United States' Government do or may protect. Some discussion took place on this matter, but finally it was so arranged.

As the case now stands it is clearly understood that Her Majesty's Government holds by its own opinions already expressed as to Mosquito, and that The United States does not depart from its opinions also already expressed as to the same subject; but the main question of the canal being settled on an amicable basis, and the future relations of The United States and Great Britain being regulated in all other parts of Central America, the discussion of this difference, which has lost its great practical importance, is avoided in an arrangement meant to be as much as possible of a perfectly friendly character.

I need not say that should your Lordship wish to make any further statement as to the views of Her Majesty's Government with respect to the protectorate of Mosquito, that statement can still be made; nothing in the present Convention is affirmed thereupon, but nothing is abandoned.

I trust that after this statement your Lordship will approve of the course I have pursued.

There are various small and verbal differences between the original project and Treaty which I have not enumerated, because they leave the general sense the same, and have only been adopted to express that sense more clearly. The word "fortify" is inserted between "occupy and colonize" in the second line from the bottom of the page in Article I, but this word had been used in your Lordship's note to Mr. Laurence, and only imposes in that place an obligation which had already been agreed to and stated elsewhere. The word "blockade" is inserted before the words "detention or capture" in Article II, at the request of several influential persons, but only signifies what detention and capture had already expressed.

Viscount Palmerston, G.C.B.

H. L. BULWER.

No. 38.—*Sir H. Bulwer to Viscount Palmerston.*—(Rec. May 14.)
(Extract.) *Washington, April 28, 1850.*

You will best judge if anything, and if anything what, is to be done as to the remaining difference between Nicaragua and Mosquito, on which the Government of Her Majesty and that of The

United States still entertain opposite opinions, although those opinions are, by our Treaty, restrained or withdrawn from the necessity of being carried out into any act of hostility.

The Treaty made for the construction of the canal, abandoning nothing contrary to our honour, secures some advantages, and takes away, as I have already said, all cause for immediate or disagreeable dispute between Great Britain and this country. However, the whole subject is not disposed of without going somewhat further.

Now, as I consider the matter, the case stands thus:

We have no longer any interest in maintaining the Mosquitos where they are, nor our protection over them in that locality. But still, though the protectorate in question is of no avail to us, we could neither withdraw it, nor alter the condition of things on which it rests, if pressed to do so in any disagreeable or hostile way, or even if a conflicting claim was put up directly by the Power with which we were discussing the matter in direct opposition to that claim for which we have long since declared ourselves. On the other hand, we might, perhaps, terminate and settle this point, if it were considered and discussed between ourselves and a friendly Power on general and friendly grounds.

If the notion I thus entertain is correct, it would follow, that should our Treaty and the Treaty between this country and Nicaragua be settled without any assertion of the right of Nicaragua over the Mosquito territory, we might then, in amicable arrangement with The United States, arrive at some plan for withdrawing the Mosquitos from the vicinity of the canal, and thereby remove at once all grounds of future discord.

I remember that your Lordship did not seem altogether adverse to a plan frequently put forward of purchasing the Indian title. Something of this kind might, perhaps, be settled. A sort of recognition of the Mosquitos, in a particular district, might also be obtained from the Central American States, on certain conditions, and the nature of their position be in this way benefited by the sphere of their pretensions being contracted.

An agreement might be come to, as to the land thus vacated, favourable to the purposes of commerce and the construction of the canal; and conditions imposed as to the nature of the government therein to be established. The Mosquitos being withdrawn, the cession of the disputed territory to any particular Central American State comes, by the terms of our Treaty, Article VI, one of friendly adjustment between us and The United States.

In short, the ground seems in this way clear. I shall, however, be glad to know what are your Lordship's views as to these matters, and if they coincide in the main with mine, or differ as to any

essential point, since it might be well, now that we are occupied with this affair, to settle it completely.

Viscount Palmerston, G.C.B.

H. L. BULWER.

No. 39.—Viscount Palmerston to Sir Henry Bulwer.

SIR,

Foreign Office, May 24, 1850.

HER Majesty's Government have had under their consideration your despatch of the 28th of April, stating the alterations which have been made in the project of Convention respecting the construction of a ship-canal between the Atlantic and Pacific Oceans, which was inclosed in your despatch of the 3rd February, and the reasons which have induced you to adopt those alterations which were afterwards made therein by the Convention which you signed with Mr. Clayton on the 19th April; and I have to state to you that Her Majesty's Government entirely approve the alterations to which you have consented, and in agreeing to which you have acted with judgment and discretion, and entirely in conformity with the views and intentions of Her Majesty's Government.

I am, &c.

Sir Henry Bulwer.

PALMERSTON.

No. 40.—Viscount Palmerston to Sir Henry Bulwer.

(Extract.)

Foreign Office, May 28, 1850.

I HAVE received your despatch of the 28th of April, inclosing a copy of the Convention which you concluded with Mr. Clayton on the 19th of April, upon the subject of the establishment of a communication between the Atlantic and Pacific Oceans by a ship-canal by way of the River San Juan de Nicaragua, and either or both of the Lakes of Nicaragua or Managua. I have to state to you that Her Majesty's Government entirely approve the Convention which you have signed with Mr. Clayton upon this subject, and I have at the same time to inform you that the Queen's ratification will be prepared and will be sent out to you without delay, in order to be exchanged against that of the President of The United States.

With respect to the mention which is made in the Convention of the Kingdom of Mosquito, the British Crown having for nearly 2 centuries been under an honourable engagement to protect the people of Mosquito, representations were made to Her Majesty's Government in 1844, that the people of that country were in danger of suffering from the aggressions of some of the neighbouring Spanish States, one of which had already, then recently, occupied by force the Port of San Juan, which had always been considered as part of the Mosquito territory. In consequence of these repre-

sentations, Her Majesty's Government at that time sent out a British Agent to examine into and to report upon the state of affairs in Mosquito, and to assist the King of the Mosquitos in organizing his internal arrangements. Further investigation having convinced Her Majesty's Government that Greytown or Port St. John did rightfully belong to the Mosquito territory, and the Government of Nicaragua not yielding to the repeated applications on the part of Her Majesty's Government to restore that port to the Mosquitos, means were at length employed by Her Majesty's Government by which the restoration of that port to the Mosquitos was accomplished, and from that time, namely, from January, 1848, the port has continued to be held by the Mosquitos under the protection of Great Britain.

But Her Majesty's Government feel that the present state of things in regard to the Mosquito territory, and especially with regard to the port of Greytown, is in many respects inconvenient. The British Government is bound in honour to protect the Mosquitos, but Her Majesty's Government are of opinion that the protection of Great Britain might be afforded to that nation as effectually in a different way, and without any direct interference of any Agent of the British Government in the internal affairs of that country.

Her Majesty's Government would propose that Treaties should be concluded with the States of Honduras, Nicaragua, and Costa Rica, which border upon the Mosquito territory, for the purpose of fixing and defining the boundaries between those States respectively and Mosquito; and Her Majesty's Government would be glad to have the co-operation of the Government of The United States in the making of such an arrangement. If such boundaries were once fixed and established by such Treaties, the duties of protection would have been usefully performed.

But in the forming of such Treaties it would obviously become necessary to make some different arrangement in regard to Greytown. As that port would be one of the outlets of the proposed interoceanic communication, it would be necessary for the purposes of commerce that it should be under the control of some efficient and organized Government; and it is required by the spirit and meaning of the Convention which you have signed with Mr. Clayton, that Greytown should not, either directly or indirectly, be under the control either of Great Britain or of The United States.

But in the present condition of the Mosquito nation, the Chief of that country could not establish any sufficiently well-organized system of administration in Greytown without the assistance of the direct and detailed intervention of British agency in that town.

In order to obviate these inconveniences, Her Majesty's Government would propose that the Treaty to be concluded between the Mosquitos and Costa Rica, should so fix the boundary between those States as to include Greytown, and a sufficient district to the north of Greytown, within the limits of Costa Rica; some suitable and adequate compensation being made to the Mosquitos for this cession on their part.

Such an arrangement would secure the establishment in Greytown of a well-organized Government wholly independent both of Great Britain and of The United States; and as the relations between Costa Rica and the Mosquitos have been always friendly, the close contact of the 2 would not be likely to be productive of any future differences between them.

By such an arrangement the two ends of the sea-to-sea communication would be in the keeping of the 2 Central American States the nearest geographically to each, and the most interested respectively in rendering the communication as useful as possible for the general purposes of commerce.

Sir Henry Bulwer.

PALMERSTON.

No. 41.—Sir H. Bulwer to Viscount Palmerston.—(Rec. June 4.)

MY LORD,

Washington, May 20, 1850.

I CALLED on Mr. Clayton on the 10th of this month, in consequence of a statement in a New York journal, to the effect that Mr. Squier had taken possession of Tigre Island and hoisted the American flag thereupon.

Mr. Clayton informed me that he had received no information of such a fact, and did not believe in the report. He confirmed to me the assurance he had previously given as to his disapproval of Mr. Squier's Treaty with Honduras, and agreed with me that the provisions of the Treaty, as recently signed, would prohibit The United States from taking possession of the island in question.

I have, &c.

Viscount Palmerston, G.C.B.

H. L. BULWER.

No. 42.—Viscount Palmerston to Sir Henry Bulwer.

SIR,

Foreign Office, June 8, 1850.

I HAVE to instruct you to inform the Secretary of State of The United States that you will be directed to make a declaration at the time of the exchange of the ratifications of the Convention relative to the establishment of the proposed canal across the Isthmus of Nicaragua, that Her Majesty's Government do not understand the engagements of that Convention as applying to Her Majesty's settlement at Honduras, or to its dependencies. A draft of such declaration is inclosed.

Her Majesty's ratification of the Convention will be prepared and forwarded to you for exchange, as soon as I shall have heard from you that the Convention has been confirmed by the Senate of The United States. I am, &c.

I am, &c.

Sir Henry Bulwer.

PALMERSTON.

(Inclosure.)—Draft of Declaration.

IN proceeding to the exchange of the ratifications of the Convention signed at Washington on the 19th of April, 1850, between Her Britannic Majesty and the United States of America, relative to the establishment of a communication by ship-canal between the Atlantic and Pacific Oceans, the Undersigned, Her Britannic Majesty's Plenipotentiary, has received Her Majesty's instructions to declare that Her Majesty does not understand the engagements of that Convention to apply to Her Majesty's settlement of Honduras, or to its dependencies.

Her Majesty's ratification of the said Convention is exchanged under the explicit declaration above mentioned.

Done at Washington, the day of , 1850.

No. 43.—*Sir H. Bulwer to Viscount Palmerston.*—(Rec. June 11.)
 MY LORD, Washington, May 26, 1850.

I HAVE the honour to inform you that the Treaty, of which I transmitted your Lordship a copy in my despatch of the 28th ultimo, was approved of by a considerable majority in the Senate on the 22nd instant, and that Mr. Clayton has informed me that the President has given it his approval. I am, therefore, only awaiting your Lordship's orders as to an exchange of ratifications.

I have, &c.

Viscount Palmerston, G.C.B.

H. L. BULWER.

No. 44.—Viscount Palmerston to Sir Henry Bulwer.

SIR,

Foreign Office, June 14, 1850.

I TRANSMIT to you the Queen's ratification under the Great Seal, of the Convention relative to the Nicaragua ship-canal, which was signed by you and Mr. Clayton on the 19th of April last; and I am to desire that you will exchange the same against a similar instrument, ratified by the President of The United States.

Before, however, you proceed to the exchange of the ratifications of the Convention, you will deliver to the American Secretary of State the declaration of which a draft is inclosed in my despatch of the 8th instant, stating that Her Majesty's Government do not understand the engagements of the Convention as applying to the British Settlement at Honduras, or to its dependencies. I do not

anticipate that the Government of The United States will raise any objection to receiving and assenting to that declaration, but if they should decline to receive and assent to it, you will not proceed to the exchange of the ratifications until you shall receive the further instructions of Her Majesty's Government.

I transmit a certificate, to be signed by you and Mr. Clayton on the exchange of the ratifications. You will return it to me at the same time that you send home the ratification of The United States.

I am, &c.

Sir Henry Bulwer.

PALMERSTON.

(Inclosure.)—*Draft of Certificate.*

THE Undersigned having met together for the purpose of exchanging the ratifications of a Convention between Her Majesty the Queen of the United Kingdom of Great Britain and Ireland and the United States of America, relative to the establishment of a communication by ship-canal between the Atlantic and Pacific Oceans, concluded and signed at Washington on the 19th day of April, 1850, and the respective ratifications of the said instrument having been carefully compared and found to be exactly conformable to each other, the said exchange took place this day in the usual form.

In witness whereof, they have signed the present certificate of exchange, and have affixed thereto their respective seals.

Done at Washington, the day of , 1850.

No. 45.—Sir H. Bulwer to Viscount Palmerston.—(Rec. June 17.)

(Extract.)

Washington, June 3, 1850.

I THINK it right to observe, that whenever Mr. Clayton has spoken to me on the subject of an arrangement for the purchase of a part of the territory claimed by the Mosquito King, he has always laid down as a matter of course that no such arrangement could be considered as in any way affecting private rights.

Viscount Palmerston, G.C.B.

H. L. BULWER.

No. 46.—Sir H. Bulwer to Viscount Palmerston.—(Rec. July 17.)

MY LORD,

Washington, June 28, 1850.

MR. CLAYTON informed me yesterday that he had just received a despatch from Mr. Squier, from which it would appear that that gentleman had taken possession of Tigre Island.

Mr. Clayton expressed himself much annoyed at this occurrence, saying that he could not but conclude that his previous despatches to Mr. Squier had miscarried. He said that he had therefore sent a special messenger to him, with orders that he should deliver the despatches of which he was the bearer into Mr. Squier's own hands.

These despatches informed Mr. Squier that he had already been told that his Treaty with Honduras was wholly disapproved of, and that The United States' Government did not mean to take possession of Tigre Island under any pretext whatever.

Mr. Clayton said that Mr. Squier would likewise be informed of the Treaty which had been concluded between Great Britain and The United States, and that he would probably return home without delay.

I have, &c.

Viscount Palmerston, G.C.B.

H. L. BULWER.

No. 47.—Sir H. Bulwer to Viscount Palmerston.—(Rec. July 17.)
(Extract.) *Washington, July 1, 1850.*

I RECEIVED your Lordship's despatch of the 28th ultimo, with reference to the Convention of the 19th of April, and the proposal of ceding a portion of the Mosquito territory, including Greytown, to the Government of Costa Rica, with the suggestion, that in such case the Nicaraguans might receive compensation elsewhere in further territorial arrangements between them and the Costa Ricans.

I have reason to believe that Nicaragua would not at this time consent to your Lordship's proposal.

Viscount Palmerston, G.C.B.

H. L. BULWER.

No. 48.—Sir H. Bulwer to Viscount Palmerston.—(Rec. July 17.)
(Extract.) *Washington, July 1, 1850.*

MR. WHITE, the managing director of the Nicaraguan Canal Company, has written me a letter which I have answered. The copy of the letter and answer are here inclosed.

Viscount Palmerston, G.C.B.

H. L. BULWER.

(Inclosure 1.)—Mr. White to Sir Henry Bulwer.

SIR,

New York, June 27, 1850.

HEREWITH I send you the "public notice" given the 15th day of June last by J. M. Daly, who claims to be the collector of the port of San Juan de Nicaragua. This paper, you will remember, was shown to you when you were in New York, and a copy promised to be sent to you. I am unable to find, after a careful examination of this paper, any duty imposed on vessels that may enter the port of San Juan with a view to proceed up the river to Lake Nicaragua. Two steamboats belonging to the Atlantic and Pacific Canal Company will very shortly reach San Juan for this purpose; and if the merchants to whom the entire right of collecting and establishing duties has been assigned, shall attempt to make and enforce a tariff to suit the case, our agents will not be disposed to regard its requirements. Indeed, I cannot conceive how they can do so without treating with contempt the well-known wishes of our Government.

Gladly would we delay sending our boats, were it not that we must send engineers to commence the survey of the route, or forfeit our charter by a failure to send them.

Can you make any suggestion with reference to this question of duties, which would avoid the difficulty suggested? Anything which we can do in the matter without compromising our Government or ourselves, we shall not hesitate in doing. And we trust we may not be placed in a position that will demand of us either to commit ourselves to the right of these assignees to levy duties, or practically to deny such right by a positive refusal to pay them. To proceed as we have proceeded we think best, viz., neither to admit or deny any political rights in San Juan de Nicaragua, except those established by the Senate of Nicaragua. The ratification of the Treaty will clearly obviate the present difficulty. But until this is done what are we to do?

Very respectfully, &c.

Sir Henry Bulwer.

J. L. WHITE.

(Inclosure 2.)—Sir Henry Bulwer to Mr. White.

MY DEAR SIR,

Washington, June 29, 1850.

THE position of things at Greytown is as follows: This place is protected by Great Britain for the King of Mosquitos, who, under our protection, has established Custom regulations there. Whether these Customs have been rented or not, does not, as it appears to me, much signify. By the Treaty of the 19th April, Her Majesty's Government engages to use its best endeavours to cause Greytown to be made a free port. No doubt, therefore, Greytown will be made a free port; but a sufficient space of time must be allowed to permit Her Majesty's Government to receive the ratification of the said Treaty, and to send instructions founded thereupon to Her Majesty's agents in the Mosquito territory. Any attempt in the meantime to infringe by force the regulations at present imposed at the port in question by Mosquito authority, and under British sanction, would of course be most injudicious, and have very possibly the most fatal consequences. I am convinced, therefore, from the discretion which you have always hitherto displayed, that you will take such measures as are best calculated to avoid any just causes of difference between your Company and the Mosquito authorities, and between Great Britain and The United States. You must remember that Her Majesty's agent at Greytown is entirely independent of me, and that, consequently, I can give him no instructions as to his conduct. But I will explain to him the friendly relations between this country and Great Britain, and the provisions of the Treaty which have resulted from them. For the same reason that I can give Mr. Green no instructions, I can make no suggestion

to you ; but the facts I have stated will, I think, furnish you with grounds for the line of conduct which it will be most convenient for you and your brother to adopt. I am, &c.

J. L. White, Esq.

H. L. BULWER.

No. 49.—Sir H. Bulwer to Viscount Palmerston.—(Rec. July 22.)
MY LORD, *Washington, July 8, 1850.*

I HAVE the honour to inclose to your Lordship the correspondence which passed between Mr. Clayton and me, after delivering the declaration inclosed in your Lordship's despatch of the 8th ultimo, respecting Her Majesty's settlement at Honduras and its dependencies.

Your Lordship will perceive that the Secretary of State fully assents to the fact, that the rights of Her Majesty over the British settlement at Honduras and its dependencies remain untouched by the Convention of the 19th April, and I have therefore exchanged a copy of that Treaty, ratified and signed by Her Majesty, for a copy of the same, ratified and signed by the President of The United States.

I inclose to your Lordship the certificate of the ratification signed by Mr. Clayton and myself. The ratification itself will be forwarded by our regular messenger on this day week.

I have, &c.

Viscount Palmerston, G.C.B.

H. L. BULWER.

(Inclosure 1.)—Mr. Clayton to Sir Henry Bulwer.

SIR, *Department of State, Washington, July 4, 1850.*

I HAVE received the declaration you were instructed by your Government to make to me respecting Honduras and its dependencies, a copy of which is herewith subjoined.

The language of Article I of the Convention concluded on the 19th day of April last, between The United States and Great Britain describing the country not to be occupied, &c., by either of the parties, was, as you know, twice approved by your Government, and it was neither understood by them, nor by either of us (the negotiators), to include the British settlement in Honduras, commonly called British Honduras, as distinct from the State of Honduras, nor the small islands in the neighbourhood of that settlement, which may be known as its dependencies. To this settlement and these islands the Treaty we negotiated was not intended by either of us to apply. The title to them it is now, and has been my intention throughout the whole negotiation, to leave, as the Treaty leaves it, without denying, affirming, or in any way meddling with the same, just as it stood previously.

The Chairman of the Committee on Foreign Relations of the Senate, the Hon. William R. King, informs me that "the Senate perfectly understood that the Treaty did not include British Honduras." It was intended to apply and does include all the Central American States of Guatemala, Honduras, San Salvador, Nicaragua, and Costa Rica, with their just limits and proper dependencies.

The difficulty that now arises seems to spring from the use in our Convention of the term "Central America," which we adopted because Viscount Palmerston had assented to it, and used it as the proper term, we naturally supposing that on this account it would be satisfactory to your Government; but if your Government now intend to delay the exchange of ratifications until we shall have fixed the precise limits of Central America, we must defer further action until we have further information on both sides, to which at present we have no means of resort, and which it is certain we could not obtain before the term fixed for exchanging the ratifications would expire. It is not to be imagined that such is the object of your Government, for not only would this course delay, but defeat the Convention.

Of course no alteration could be made in the Convention as it now stands, without referring the same to the Senate: and I do not understand you as having authority to propose any alteration. But on some future occasion a conventional Article, clearly stating what are the limits of Central America, might become advisable.

There is another matter still more important, which the stipulations of the Convention direct that we shall settle, but which you have no instructions now to determine; and I desire you to invite the attention of your Government to it—"the distance from the two ends of the canal" within which "vessels of The United States or Great Britain, traversing the said canal, shall, in case of war between the Contracting Parties, be exempted from blockade, detention, or capture by either of the belligerents."

The subject is one of deep interest, and I shall be happy to receive the views of your Government in regard to it, as soon as it may be convenient for them to decide upon it.

I avail, &c.

Sir Henry Bulwer.

J. M. CLAYTON.

(Inclosure 2.)—*Sir Henry Bulwer to Mr. Clayton.*

SIR,

British Legation, July 4, 1850.

I UNDERSTAND the purport of your answer to the declaration, dated the 29th of June, which I was instructed to make to you on behalf of Her Majesty's Government, to be, that you do not deem yourself called upon to mark out at this time the exact limits of Her Majesty's settlement at Honduras, nor of the different Central

American States, nor to define what are or what are not the dependencies of the said settlement; but that you fully recognize that it was not the intention of our negotiation to embrace in the Treaty of 19th April whatever is Her Majesty's settlement at Honduras, nor whatever are the dependencies of that settlement; and that Her Majesty's title thereto subsequent to the said Treaty will remain just as it was prior to that Treaty, without undergoing any alteration whatever in consequence thereof.

It was not the intention of Her Majesty's Government to make the declaration I submitted to you more than a simple affirmation of this fact, and consequently I deem myself now authorized to exchange Her Majesty's ratification of the Treaty of 19th April for that of the President of The United States.

I shall take the earliest opportunity of communicating to Her Majesty's Government the desire which you express to have determined the distance from the two ends of the canal within which vessels of The United States or Great Britain traversing the said canal shall, in case of war between the Contracting Parties be exempted from blockade, detention, or capture by either of the belligerents, and I will duly inform Her Majesty's Government of the interest which you take in this question.

I avail, &c.

J. M. Clayton, Esq.

H. L. BULWER.

No. 50.—Sir H. Bulwer to Viscount Palmerston.—(Rec. July 22.)

MY LORD,

Washington, July 8, 1850.

YOUR Lordship will perceive, from Mr. Clayton's note to me of the 4th instant, that he is anxious to have, as soon as possible, your Lordship's ideas with respect to the limits which are to be assigned to that distance from the two free ports at either side of the said canal which is to be considered free from the acts of belligerent Powers.

The Chairman of the Committee on Foreign Relations in the Senate is very anxious that this distance should be very considerable.

Mr. Clayton is of opinion that it is more for the interests of Great Britain and The United States that the neutral space in question should not extend beyond 20 to 50 miles, as a general arrangement; but that Great Britain and The United States should, by a separate agreement, give the same a much wider range, as far as they themselves are concerned. He adds, however, that he is most especially desirous to know your Lordship's views, since whatever is for the advantage of Great Britain in these matters will be for the advantage of The United States.

I have, &c.

Viscount Palmerston, G.C.B.

H. L. BULWER.

No. 51.—*M. Molina to Viscount Palmerston.*—(Received August 6.)
MY LORD, 116, Gloucester Terrace, Hyde Park, August 5, 1850.

I HAVE to state that having duly reported to my Government the offer that your Lordship had the kindness to make verbally to me, that Her Majesty's Government were disposed to use their good offices conjointly with the Cabinet of Washington, in order to bring about the settlement of the boundary differences actually existing between Costa Rica and Nicaragua, I have received special instructions enjoining me to express to your Lordship the deep gratitude of my country for the interest Her Majesty's Government have taken in its behalf; and to declare likewise, in the manner which may be considered most binding, that the Republic of Costa Rica does unreservedly accept the high mediation of Great Britain and the United States of America, for the purpose aforesaid, with a perfect confidence in the justice and wisdom of their councils.

It is, therefore, my pleasing duty to assure your Lordship that Costa Rica, fully concurring in the magnanimous and philanthropic views of both Powers, set forth in their Convention signed in Washington on the 19th of April of the present year, is willing to submit the question of her rights over all the territories in dispute between Nicaragua and herself, to the combined mediation of Great Britain and The United States, and to hold their joint decision as final and irrevocable, provided Nicaragua should have previously placed herself under a similar obligation.

I beg at the same time to state that, even in a contrary supposition, Costa Rica will nevertheless be prepared to listen to, and disposed to adopt, any plans of arrangement which the Cabinets of St. James's and Washington, by common consent, may suggest, in the way of mutual renunciations, exchanges, or indemnities, if necessary, or to concur in any opinion they may express, with a view to a final settlement of the boundary differences in question, and to the facilitating the construction of a ship-canal.

I have likewise to acquaint your Lordship that I am authorized, if it is deemed desirable, to sign any Treaty or engagement in reference to the declarations above stated.

As to the mode of carrying out the proposed mediation or arbitration, perhaps your Lordship will allow me to suggest that as I have full powers from my Government for the purpose, the Government of Nicaragua should be invited to send to their Minister here equal powers, when the affair could be settled with the co-operation of your Lordship and that of the American Ambassador to this Court, to whom I address, under this same date, a letter identical with the present communication to your Lordship. On behalf of Costa Rica, however, I shall be prepared to adhere to any other plan that may be preferred for the above purpose by the mediating Powers.

In the meantime, intelligence having been received of the formation of a confederacy between Nicaragua, Salvador, and Honduras, with objects hostile to the peace and independence of Guatemala and Costa Rica, I have to express the confident trust entertained by Costa Rica, that the influence of the British and American Governments will be used to dissuade Nicaragua or any other of the Central American States, from any violent attempts or acts of aggression against her.

It is most satisfactory for me to state that the packet which has just arrived with the mails from Costa Rica up to the end of last June, brings intelligence of the continued tranquillity which Costa Rica has for so many years enjoyed; and that the Government of the Republic has become still more consolidated in the affections and prosperity of the people, whose material progress would be injuriously interrupted should they be called upon to abandon industrious pursuits, in order to prepare a resistance to any attacks with which an external and misguided hostility might menace them.

This opportunity enables me to renew, &c.

Viscount Palmerston, G.C.B.

F. MOLINA.

No. 52.—Sir H. Bulwer to Viscount Palmerston.—(Rec. August 13.)

MY LORD,

Washington, July 28, 1850.

I HAVE the honour to inclose to your Lordship the ratification, by the President of The United States, of the Treaty concluded at Washington between Mr. Clayton and myself on the 19th of April last.

I have, &c.

Viscount Palmerston, G.C.B.

H. L. BULWER.

No. 53.—Sir H. Bulwer to Viscount Palmerston.—(Rec. August 27.)

(Extract.)

Washington, August 6, 1850.

THE present appears to me the best moment for calling your Lordship's attention to a question which a portion of Mr. Clayton's communication suggests.

The term "Central America" is used by Mr. Clayton and myself in our Convention.

The usual acceptation given to it would simply embrace the 5 States, viz., Honduras, Guatemala, Salvador, Nicaragua, and Costa Rica, which formerly constituted the Central American Republic.

I think it might be advisable that the 2 Governments came to a clear understanding as to whether they mean that the 5 States in question, with their just boundaries, whatever those boundaries may be, are meant by the term "Central America."

Viscount Palmerston, G.C.B.

H. L. BULWER.

No. 54.—Viscount Palmerston to Sir Henry Bulwer.

(Extract.)

Foreign Office, August 30, 1850.

WITH reference to that part of my despatch of the 28th of May last, which states that Her Majesty's Government would be glad to have the co-operation of The United States' Government, with a view to effect the conclusion of Treaties with the States of Honduras, Nicaragua, and Costa Rica, for the purpose of fixing and defining the boundaries between those States respectively and Mosquito, I inclose herewith, for your information, a copy of a letter which I have received from M. Molina, the Envoy from Costa Rica at this Court, stating that he is directed by his Government to state to Her Majesty's Government that Costa Rica is willing to submit the question of boundaries between herself and Nicaragua to the joint mediation or arbitration of Great Britain and The United States; and will also bind herself to abide by the decision which the 2 Governments may concur in giving with respect to that question, provided the State of Nicaragua places herself under a similar obligation.

And I have to instruct you to submit the proposition of the Government of Costa Rica to The United States' Government; and at the same time to ask them whether they concur in the plan of arrangement proposed in M. Molina's letter; and if so, whether they will undertake to propose it to the Government of Nicaragua.

Sir Henry Bulwer.

PALMERSTON.

No. 55.—Viscount Palmerston to Sir Henry Bulwer.

(Extract.)

Foreign Office, September 11, 1850.

I HAVE received your despatch of the 6th ultimo, and with reference to the question to which you call my attention, as to the meaning of the term "Central America," I have to observe that it will be sufficient for the purposes of the Convention to construe the term "Central America" as comprising those States which formed the republic formerly known by that name, that is to say, Guatemala, Costa Rica, Nicaragua, Salvador, and Honduras; and it is not necessary that their boundaries should be specially defined.

Sir Henry Bulwer.

PALMERSTON.

No. 56.—Viscount Palmerston to Sir Henry Bulwer.

(Extract.)

Foreign Office, October 4, 1850.

WITH reference to your despatch of the 8th of July last, requesting to be informed of the views of Her Majesty's Government as to the arrangement which remains to be agreed upon between Great Britain and The United States with regard to the limits within which vessels traversing the ship canal between the

Atlantic and Pacific Oceans are to enjoy exemption from blockade, detention, or capture, I have to acquaint you that the Lords Commissioners of the Admiralty consider that a segment of a circle of 25 nautical miles radius, drawn to seaward from each end of the canal, as from a centre, should be the limits within which vessels should enjoy the exemption in question.

Sir Henry Bulwer.

PALMERSTON.

No. 57.—*Sir H. Bulwer to Viscount Palmerston.*—(Rec. October 14.)

MY LORD,

Washington, September 29, 1850.

I HAVE the honour to inclose, herewith, a copy of the communication by which I have called Mr. Webster's attention to the proposition from Costa Rica, contained in your Lordship's despatch of the 30th of August.

In this communication I have stated in writing what I had previously stated in conversation, because it seemed to me possible that it might otherwise pass in some degree from Mr. Webster's recollection.

I have, &c.

Viscount Palmerston, G.C.B.

H. L. BULWER.

(Inclosure.)—*Sir Henry Bulwer to Mr. Webster.*

MY DEAR SIR,

Washington, September 27, 1850.

I INFORMED you in our recent conversations on the subject, that Viscount Palmerston in referring to his despatch of the 28th of May last, of which I, in a private note of the 16th August last, communicated to you the contents, also informed me that the Envoy from Costa Rica, in London, had stated to him, Lord Palmerston, that he was directed by his Government to state to Her Majesty's Government that Costa Rica was willing to submit the question of boundaries between herself and Nicaragua to the joint mediation or arbitration of Great Britain and The United States; and would also bind herself to abide by the decision which the 2 Governments might concur in giving, with respect to the question referred to, provided that the State of Nicaragua would place itself under a similar obligation.

Lord Palmerston has furthermore instructed me to submit the proposition of the Government of Costa Rica to The United States' Government, and at the same time to ask you whether it would concur in the plan of arrangement proposed by the Envoy from Costa Rica, and if so, whether it would undertake to propose it to the Government of Nicaragua. As a verbal communication may not always leave behind it a full impression of what passed, and especially when your mind must be so much occupied by many other and important affairs, I have thought it better to repeat in writing

all that I now state; and I likewise inclose for your perusal a copy of a letter addressed by M. Molina, the Envoy from Costa Rica, to Her Majesty's Secretary of State for Foreign Affairs.

I would take this opportunity of again urging upon your consideration the propriety of obtaining from the State of Nicaragua full powers to arrange all its differences with respect to the Mosquitos and Costa Rica, through the friendly arbitration or mediation of Great Britain and The United States.

I have, &c.

D. Webster, Esq.

H. L. BULWER.

No. 58.—Sir H. Bulwer to Viscount Palmerston.—(Rec. October 14.)
(Extract.) *Washington, September 29, 1850.*

IN informing Mr. Webster of the contents of your Lordship's despatch of the 30th of August, and of its inclosure from M. Molina, relative to the willingness of Costa Rica to submit the question of boundaries between that State and Nicaragua, to the joint arbitration of Great Britain and The United States. I at the same time spoke to the Secretary of State upon the general question of settling as speedily as possible, by the joint mediation of Great Britain and The United States, the whole of the territorial differences between Mosquito, Nicaragua, and Costa Rica, and asked whether he could now give me his views generally on this matter.

Mr. Webster said that the subject was a difficult one, and that it would be necessary to know what the Nicaraguans would consent to, before The United States' Government, which was in some degree compromised with respect to their claims, by the expression of its opinions, could point out any claim which it could engage to aid in carrying out, or which it could recommend as likely to lead to a satisfactory adjustment. He added, however, that he himself entirely agreed in the spirit of the project which your Lordship has suggested, viz., that of placing Greytown in the hands of the Costa Ricans, and giving up a portion of the contested territory between Nicaragua and Costa Rica to the Nicaraguans. He furthermore said, that he should recommend the Senate to do nothing further for the present with respect to Mr. Squier's Treaty; that he understood that his predecessor had invited Nicaragua to send some agent here with full powers to make such alterations in that Treaty as The United States might require; that if such agent came, he (Mr. Webster) should judge from him what it would be possible to do with the Nicaraguan Government; that if such agent did not come, he should not employ Mr. Squier again, but select some capable person to send to Nicaragua, through whose means he should endeavour to obtain the consent of that State to some reasonable plan of adjusting all pending questions concerning it.

I suggested that the best and simplest way would be, to get Nicaragua to give The United States full powers to settle all such matters in any way which the Government of Great Britain and the Government of The United States might agree to ; and that then as the Government of Costa Rica had declared that it would consent to any arrangement which the said 2 Governments might sanction, and that Her Majesty's Government could in a great degree answer for that of the King of the Mosquitos, we might clear away a great number of useless delays and difficulties, and settle between us, and at once, some general scheme including the occupation of Greytown, and the restoration of friendly relations between Costa Rica and Nicaragua.

Mr. Webster seemed to consider that this idea was a good one.

Viscount Palmerston, G.C.B.

H. L. BULWER.

No. 59.—Sir H. Bulwer to Viscount Palmerston.—(Rec. October 14.)

MY LORD,

Washington, September 29, 1850.

I INCLOSE your Lordship a private memorandum, which I have written at Mr. Webster's request, respecting some alterations which appeared to me requisite in the Treaty which Mr. Squier some time since made with the Nicaraguan Republic, in order that such Treaty should not clash with the spirit and intentions of the Treaty between Great Britain and The United States of April last, nor interfere in any way with the joint action and friendly understanding between the 2 Governments as to the great object of constructing a ship-canal between the Atlantic and Pacific.

These remarks were, in some degree, hastily written, but they seem to me to touch the principal points at issue, and as the consideration of the matter is now deferred till next session, there will be time for me to have the benefit of your Lordship's further instructions thereupon.

I inclose your Lordship also the only copy I have been able to procure of the Treaty referred to.

I have, &c.

Viscount Palmerston, G.C.B.

H. L. BULWER.

(Inclosure 1.)—Sir Henry Bulwer to Mr. Webster.

MY DEAR SIR,

Washington, September 27, 1850.

I INCLOSE you a memorandum which I think contains the principal points to which it is desirable to draw your attention ; and I wish you expressly to bear in mind, that the thing we have to look to is the final settlement of all these disputed questions by the best and fairest arrangement that can be made, according to the views and engagements of each particular party, and the common advantage of all. I ought to add, that I clearly understood, when I first

signed the project of the Treaty that was subsequently shaped into form by the Convention of the 19th of April, that I did so in the full understanding that Mr. Squier's Treaty was not to be presented in such case in its present shape, and, in fact, President Taylor did at that time refuse to lay the said Treaty before the Senate. When it was subsequently communicated to this body, Mr. Clayton told me that this had taken place because he believed that the project to which he had subscribed would not be approved of by our respective Governments, and could not consequently be realized; and, finally, when the said project was approved of by the Governments of Great Britain and The United States, I did not consent to sign it as a Convention until Mr. Clayton assured me in writing, and with reference to Mr. Squier's Treaty, that the President would not ratify any other Treaty of which the spirit and instructions were contrary to that which we were signing. I have, &c.

D. Webster, Esq.

H. L. BULWER.

(Inclosure 2.)--Portions of Mr. Squier's Treaty with Nicaragua which seem to require amendment.

IN the 2nd section of Article XXXV there is a passage beginning after the word "proceed," and going down to the end of section to the word "Article." In this passage The United States recognize "the rights of sovereignty and property which the State of Nicaragua possesses in and over the line of said canal" (meaning the canal which it is proposed to construct across Central America by the Lakes of Nicaragua and the River San Juan, a part of which has been solemnly declared by Great Britain to belong to another Power and been placed by a British force in the possession of that Power). And The United States then "guarantee the entire neutrality of the same, so long as it shall remain under the control of the citizens of The United States."

Thus there are in the passage 2 paragraphs, the one concerning the recognition of the rights of Nicaragua over the line of the said canal; the other, providing it should be under the control of American citizens. With respect to this latter point, when the Treaty with Nicaragua was negotiated by Mr. Squier, the contract that had been made with Nicaragua by the Company which had engaged to construct the aforesaid canal, stipulated (Art. IX) that two-thirds of the shares of such canal should be held by citizens of The United States, and that, consequently, the said canal should be under the control of such citizens. The Treaty of Mr. Squier applied to this state of circumstances; but since that time the American Company just alluded to has found reason to have the Article which confined the Company to being an American Company struck out from its

contract with Nicaragua;* and 2 gentlemen belonging to this Company are now actually gone to England in order to invite European capitalists to subscribe to the undertaking. It seems therefore advisable, and indeed necessary, to withdraw the provision that "the canal should remain under the control of citizens of The United States" from the Treaty between Nicaragua and The United States, as it has been withdrawn from the contract between Nicaragua and the Canal Company, or the Treaty and contract will not coincide, which it is evidently intended that they should do. As to the recognition of the right of Nicaragua over the whole line of canal, the objections which are to be made to it rest upon three or four grounds:

1. This recognition brings, as has been stated, The United States' Government into direct conflict with an opinion which Great Britain has expressed and acted upon with regard to a portion of the same line.

2. It is likely to prevent the construction of the contemplated canal, by inspiring distrust in capitalists, who could only be induced to advance their money in such an enterprise, which will require so much time and capital to complete it, by the belief that no serious difference with regard to it exists between the 2 Powers most interested concerning it, namely, Great Britain and The United States.

3. Such recognition is, for these 2 above-mentioned reasons, in some degree in contradiction with the Treaty of 19th April, which was not made nor ratified when Mr. Squier negotiated his Treaty, but which has been made out and ratified since. Because the object of this Treaty, as expressly stated in the preamble, is to consolidate the relations of amity between the 2 Contracting Parties, and also, as is evident from the whole context of the Treaty itself, to further the construction of the said canal as much as possible.

4. It may, by already pledging The United States in a specific way, exclude the exercise of their salutary influence with Nicaragua, for the purpose of arriving at some friendly arrangements with respect to the jurisdiction to be established over Greytown, an important point at the mouth of the River San Juan, now held by the Mosquitos, under the Protectorate of Great Britain; and which Great Britain could not redeliver up to the Nicaraguans, but might, and would in some general scheme of compromise and settlement, get the Mosquitos to make over to some adjoining Central American State, such as Costa Rica.

5. This bare act of recognition (and The United States do not mean to carry their opinion further than the simple expression of

* The third amendment to said Charter annuls the whole of Article IX of which is question.

such opinion) though it would greatly inflate the hopes and expectations of the Nicaraguans, and lead them to refuse accepting any reasonable mode of terminating their differences with respect to their territorial disputes by compromise, would not in reality advance them one jot nearer their object of obtaining any territory their right to which is now disputed.

For all these reasons it appears that the simple affirmation on the part of the Government of The United States, that it would do all in its power to settle in a friendly manner any differences Nicaragua may have with other States or people respecting its territory or boundaries, would not be exposed to the same objections; and would, nevertheless, be just as serviceable to the Nicaraguans as the clause as it now stands.

Another question to consider in relation to the Nicaraguan Treaty, arises from Article XXXV, section 4,* which decrees that the citizens of no other State shall enjoy the same privileges as the citizens of The United States, unless they made with Nicaragua Treaties similar to that made by The United States.

Now, if The United States made a Treaty with Nicaragua that Great Britain can fairly be asked to become a party to, there may be no objection to this provision; but if it suits The United States to make a Treaty with Nicaragua, containing political opinions which it is impossible for Great Britain, consistently with her honour, to concur in, and that under these circumstances the subjects of Great Britain are not to enjoy the same privileges as the citizens of The United States over that portion of the canal which lies within the control of Nicaragua, it is perfectly clear that the spirit and intention of the Treaty of the 19th April are entirely defeated.

The Mosquitos may then put forward the same pretensions with respect to the recognition of their authority over the portion of the canal which they claim as theirs by the States enjoying the benefits of the same, as the Nicaraguans put forward with respect to the recognition of their authority over the whole canal. The very question will be brought into agitation which it has been intended to set at rest, and neither Great Britain nor The United States

* Sect. 4. "None of the rights, privileges, and immunities guaranteed to The United States and its citizens, shall accrue to any other nation and its citizens, except such nation shall first enter into the same Treaty stipulations for, &c., which have been entered into by The United States, in terms the same with those employed in Sect. 2 of this Article."

Sect. 1. "And it is further stipulated, that the right of way or transit across the territories of Nicaragua by any route or upon any mode of communication at present existing or which hereafter may be constructed, shall at all times be open and free to the Government and citizens of The United States for all purposes whatever, and no tolls, duties, or charges of any kind shall be imposed upon the transit in whole or part by such modes of communication," &c.

could agree to guarantee and protect the whole of the canal, over the whole of which neither would be able to claim the full benefits.

The meaning of the Treaty of the 19th April is evident, viz., that Great Britain and The United States, without going into any of the questions of disputed territory or other political matters, agree to guarantee protection to a canal across the Central American States, each affording the same protection to the same, if the advantages of transit thereupon are offered to their subjects or citizens upon the same terms, or, in other words, upon the payment of the said tolls.

Mr. Clayton, seeing the incompatibility of the passage in the Treaty with Nicaragua, to which I have been referring, with the Treaty of the 19th April, since negotiated, suggested to substitute for the paragraph to which allusion has just been made, something like the following: "And it also agreed that all the rights, privileges, and immunities, with respect to the passage of ships, merchandize, and passengers on the said canal granted by the 1st section of the preceding Article to The United States and their citizens, shall be granted to Great Britain and her subjects, or to the subjects and citizens of any other nation which shall enter into such Treaty stipulations for the defence and protection of the proposed Inter-oceanic Canal, as have been entered into between The United States and Great Britain."

This alteration may be worthy of consideration; and here concludes all notice that seems necessary of the special Treaty of Mr. Squier; it may, however, be added, that it seems in some degree questionable, whether it be advisable for the great Powers to make any Treaties at all with these small States in reference to railways or canals constructed through their country, and whether it would not be simpler and better to allow the companies constructing such canals or railways to make their own arrangements with the States through whose country the canals or railways may pass; and that then the great Powers willing to guarantee such enterprises, and who approve of the terms on which they are undertaken, and made open to their commerce, should guarantee the safety of the said canals or railways, and protect the said companies in the rights which they may have acquired from the States making the concession of such rights to them.

But, at all events, it is desirable, if the guaranteeing Powers make Treaties themselves with the States by which the concessions in question are made, that they should do so in such language and upon such conditions as all other Governments can be fairly called upon to adopt, so that the great routes of communication which it is the general object to establish, should be guarded by the common sentiment and interest, and rescued from the insecurity and instability which would inevitably attend them, if the arrangements made

for their construction or protection bore evidence of the political bias and intention of any particular Government, and thus became intermingled with the jealousies and ambitions of rival nations.

(Inclosure 3.)—*General Treaty of Amity, Navigation and Commerce, between the United States of North America and the Republic of Nicaragua.*—September 3, 1849.*

THE United States of North America and the Republic of Nicaragua, desiring to make lasting and firm the friendship and good understanding which happily exist between both nations, have resolved to fix, in a manner clear, distinct, and positive, the rules which shall in future be religiously observed between each other, by means of a Treaty, or General Convention of Peace and Friendship, Commerce and Navigation.

For this desirable object, the President of the United States of America has conferred full powers on E. G. Squier, a citizen of the said States and their Chargé d'Affaires to Guatemala and Central America; and the President of the Republic of Nicaragua has conferred similar and equal powers upon Licenciado Señor Don Hermenegildo Zepeda; who, having exchanged their said full powers in due form, have agreed to the following Articles:

ART. I. There shall be a perfect, firm, and inviolable peace and sincere friendship between the United States of America and the Republic of Nicaragua, in all the extent of their possessions and territories, and between their citizens, respectively, without distinction of persons or places.

II. The United States of America and the Republic of Nicaragua, desiring to live in peace and harmony with all the nations of the earth, by means of a policy frank and equally friendly with all, engage mutually not to grant any particular favour to other nations, in respect of commerce and navigation, which shall not immediately become common to the other party, who shall enjoy the same freely, if the concession was freely made, or on allowing the same compensation, if the concession was conditional.

III. The 2 High Contracting Parties, being likewise desirous of placing the commerce and navigation of their respective countries on the liberal basis of perfect equality and reciprocity, mutually agree that the citizens of each may frequent all the coasts and countries of the other, and reside therein, and shall have the power to purchase and hold lands and all kinds of real estate, and to engage in all kinds of trade, manufactures, and mining, upon the same terms with the native citizen; and shall enjoy all the privileges

* Signed in the English and Spanish languages.

and concessions in these matters which are or may be made to the citizens of any country; and shall enjoy all the rights, privileges, and exemptions, in navigation, commerce, and manufactures, which native citizens do or shall enjoy, submitting themselves to the laws, decrees, and usages there established, to which native citizens are subjected. But it is understood that this Article does not include the coasting trade of either country, the regulation of which is reserved by the parties, respectively, according to their own separate laws.

IV. They likewise agree, that whatever kind of produce, manufacture, or merchandize of any foreign country can be, from time to time, lawfully imported into The United States in their own vessels, may also be imported in vessels of the Republic of Nicaragua; and that no higher or other duties upon the tonnage of the vessel and her cargo shall be levied and collected, whether the importation be made in the vessels of the one country or of the other: and in like manner, that whatever kind of produce, manufactures, or merchandize of any foreign country can be from time to time lawfully imported into the Republic of Nicaragua in its own vessels, may be also imported in vessels of The United States; and that no higher or other duties upon the tonnage of the vessel and her cargo shall be levied or collected, whether the importation be made in vessels of the one or of the other.

And they further agree, that whatever may be lawfully exported or re-exported from the one country in its own vessels to any foreign country, may in like manner be exported or re-exported in the vessels of the other country; and the same bounties, duties, and drawbacks shall be allowed and collected, whether such exportation or re-exportation be made in vessels of The United States or of the Republic of Nicaragua.

V. No higher or other duties shall be imposed on the importation into The United States of any articles the produce or manufactures of the Republic of Nicaragua, and no higher or other duties shall be imposed on the importation into the Republic of Nicaragua of any articles the produce or manufactures of The United States, than are or shall be payable on the like articles being the produce or manufactures of any other foreign country; nor shall any higher or other duties or charges be imposed, in either of the 2 countries, on the exportation of any articles to The United States, or to the Republic of Nicaragua, respectively, than such as are payable on the exportation of the like articles to any other foreign country; nor shall any prohibition be imposed on the exportations or importation of any articles the produce or manufactures of The United States, or of the Republic of Nicaragua, to or from

the territories of The United States, or to or from the territories of the Republic of Nicaragua, which shall not equally extend to all other nations.

VI. In order to prevent the possibility of any misunderstanding, it is hereby declared that the stipulations contained in the 3 preceding Articles are, to their full extent, applicable to the vessels of The United States and their cargoes arriving in the ports of Nicaragua, and reciprocally to the vessels of the said Republic of Nicaragua and their cargoes arriving in the ports of The United States, whether they proceed from the ports of the country to which they respectively belong or from the ports of any other foreign country; and, in either case, no discriminating duty shall be imposed or collected in the ports of either country on said vessels or their cargoes, whether the same shall be of native or foreign produce or manufacture.

VII. It is likewise agreed, that it shall be wholly free for all merchants, commanders of ships, and other citizens of both countries, to manage, by themselves or agents, their own business in all the ports and places subject to the jurisdiction of each other, as well with respect to the consignments and sale of their goods and merchandize, by wholesale or retail, as with respect to the loading, unloading, and sending off their ships; their being, in all these cases, to be treated as citizens of the country in which they reside, or at least to be placed on an equality with the subjects or citizens of the most favoured nation.

VIII. The citizens of neither of the Contracting Parties shall be liable to any embargo, nor be detained with their vessels, cargoes, merchandize, or effects, for any military expedition, nor for any public or private purpose whatever, without allowing to those interested an equitable and sufficient indemnification.

IX. Whenever the citizens of either of the Contracting Parties shall be forced to seek refuge or asylum in the rivers, bays, ports, or dominions of the other with their vessels, whether merchant or war, public or private, through stress of weather, pursuit of pirates or enemies, or want of provisions or water, they shall be received and treated with humanity, giving to them all favour and protection for repairing their ships, procuring provisions, and placing themselves in a situation to continue their voyages, without obstacle or hindrance of any kind.

X. All ships, merchandize, and effects belonging to the citizens of one of the Contracting Parties, which may be captured by pirates, whether within the limits of its jurisdiction or on the high seas, and may be carried or found in the rivers, roads, bays, ports, or dominions of the other, shall be delivered up to the owners, they proving,

in due and proper form, their rights, before the competent tribunals; it being well understood that the claim shall be made within the term of 1 year, by the parties themselves, their attorneys or agents of their respective Governments.

XI. When any vessels belonging to the citizens of either of the Contracting Parties shall be wrecked or foundered, or shall suffer any damage, on the coasts or within the dominions of the other, there shall be given to them all assistance and protection, in the same manner which is usual and customary with the vessels of the nation where the damage happens; permitting them to unload the same vessel, if necessary, of its merchandize and effects, without exacting for it any duty, impost or contribution whatever, unless they may be destined for consumption or sale in the country of the port where they may have been disembarked.

XII. The citizens of each of the Contracting Parties shall have power to dispose of their personal goods or real estate within the jurisdiction of the other, by sale, donation, testament, or otherwise; and their representatives, being citizens of the other party, shall succeed to their said personal goods or real estate, whether by testament or *ab intestato*, and they may take possession thereof, either by themselves or others acting for them, and dispose of the same at their will, paying such dues only as the inhabitants of the country wherein said goods are shall be subject to pay in like cases.

XIII. Both Contracting Parties promise and engage formally to give their special protection to the persons and property of the citizens of each other, of all occupations, who may be in the territories subject to the jurisdiction of one or the other, transient or dwelling therein, leaving open and free to them the tribunals of justice, for their judicial recourse, on the same terms which are usual and customary with the natives or citizens of the country, for which purpose they may either appear in proper person, or employ, in the prosecution or defence of their rights, such advocates, solicitors, notaries, agents, and factors as they may judge proper, in all their trials at law; and such citizens or agents shall have free opportunity to be present at the decisions or sentences of the tribunals in all cases which may concern them, and shall enjoy in such cases all the rights and privileges accorded to the native citizen.

XIV. The citizens of The United States residing in the territories of the Republic of Nicaragua shall enjoy the most perfect and entire security of conscience, without being annoyed, prevented, or disturbed on account of their religious belief. Neither shall they be annoyed, molested, or disturbed in the proper exercise of their religion, in private houses, or in the chapels or places of worship appointed for that purpose, provided that in so doing they observe the decorum due to Divine worship, and the respect due to the laws,

usages, and customs of the country. Liberty shall also be granted to bury the citizens of The United States who may die in the territories of the Republic of Nicaragua in convenient and adequate places, to be appointed and established by themselves for that purpose, with the knowledge of the local authorities, or in such other places of sepulture as may be chosen by the friends of the deceased; nor shall the funerals or sepulchres of the dead be disturbed in anywise or upon any account.

In like manner, the citizens of Nicaragua shall enjoy within the Government and territories of The United States a perfect and unrestrained liberty of conscience, and of exercising their religion, publicly or privately, within their own dwelling-houses, or in the chapels or places of worship appointed for that purpose, agreeably to the laws, usages, and customs of The United States.

XV. It shall be lawful for the citizens of the United States of America and of the Republic of Nicaragua to sail with their ships, with all manner of liberty and security, no distinction being made who are the proprietors of the merchandize laden thereon, from any port to the places of those who now are, or hereafter shall be, at enmity with either of the Contracting Parties. It shall likewise be lawful for the citizens aforesaid to sail with the ships and merchandize before mentioned, and to trade with the same liberty and security, from the places, ports, and havens of those who are enemies of both or either party, without any opposition or disturbance whatsoever, not only directly from the places of the enemy before mentioned to neutral places, but also from one place belonging to an enemy to another place belonging to an enemy, whether they be under the jurisdiction of one Power or under several. And it is hereby stipulated, that free ships shall also give freedom to goods, and that everything which shall be found on board the ships belonging to the citizens of either of the Contracting Parties shall be deemed to be free and exempt, although the whole lading, or any part thereof, should appertain to the enemies of either (contraband goods being always excepted). It is also agreed, in like manner, that the same liberty shall be extended to persons who are on board a free ship, with this effect: that, although they be enemies to both or either party, they are not to be taken out of that free ship, unless they are officers and soldiers in the actual service of the enemies; provided, however, and it is hereby agreed, that the stipulations in this Article contained, declaring that the flag shall cover the property, shall be understood as applying to those Powers only who recognize this principle; but, if either of the 2 Contracting Parties shall be at war with a third, and the other remains neutral, the flag of the neutral shall cover the property of enemies whose Governments acknowledge this principle, and not of others.

XVI. It is likewise agreed that, in the case where the neutral flag of one of the Contracting Parties shall protect the property of the enemies of the other, by virtue of the above stipulation, it shall always be understood that the neutral property found on board such enemies' vessels shall be held and considered as enemies' property, and as such shall be liable to detention and confiscation, except such property as was put on board such vessel before the declaration of war, or even afterwards, if it were done without the knowledge of it; but the Contracting Parties agree that, 2 months having elapsed after the declaration of war, their citizens shall not plead ignorance thereof. On the contrary, if the flag of the neutral does not protect the enemies' property, in that case the goods and merchandize of the neutral embarked on such enemies' ships shall be free.

XVII. This liberty of navigation and commerce shall extend to all kinds of merchandize, excepting those only which are distinguished by the name of "contraband;" and under this name of contraband or prohibited goods shall be comprehended:

1. Cannons, mortars, howitzers, swivels, blunderbusses, muskets, rifles, carbines, pistols, pikes, swords, sabres, lances, spears, halberts, hand-grenades, bombs, powder, matches, balls, and all other things belonging to the use of these arms.

2. Bucklers, helmets, breastplates, coats of mail, infantry-belts, and clothes made up in the form and for the military use.

3. Cavalry-belts, and horses, with their furniture.

4. And generally all kinds of arms and instruments of iron, steel, brass, and copper, or of any other materials manufactured, prepared, and formed expressly to make war by sea or land.

5. Provisions that are imported into a besieged or blockaded place.

XVIII. All other merchandize and things not comprehended in the articles of contraband explicitly enumerated and classified as above shall be held and considered as free, and subjects of free and lawful commerce, so that they may be carried and transported, in the freest manner, by the citizens of both the Contracting Parties, even to places belonging to an enemy, excepting those places only which are at that time besieged or blockaded; and, to avoid all doubt in this particular, it is declared that those places only are besieged or blockaded which are actually attacked by a belligerent force capable of preventing the entry of the neutral.

XIX. The articles of contraband before enumerated and classified, which may be found in a vessel bound for an enemy's port, shall be subject to detention and confiscation, leaving free the rest of the cargo and the ship, that the owners may dispose of them as they see proper. No vessel of either of the 2 nations shall be detained on the high seas on account of having on board articles of contraband,

whenever the master, captain, or supercargo of said vessels will deliver up the articles of contraband to the captor, unless the quantity of such articles be so great and of so large a bulk, that they cannot be received on board the capturing ship without great inconvenience; but in this and all other cases of just detention, the vessel detained shall be sent to the nearest convenient and safe port for trial and judgment according to law.

XX. And whereas it frequently happens that vessels sail for a port or place belonging to an enemy without knowing that the same is besieged, or blockaded, or invested, it is agreed that every vessel so circumstanced may be turned away from such port or place, but shall not be detained; nor shall any part of her cargo, if not contraband, be confiscated, unless, after warning of such blockade or investment from the commanding officer of the blockading forces, she shall again attempt to enter, but she shall be permitted to go to any other port or place she shall think proper. Nor shall any vessel that may have entered into such port before the same was actually besieged, blockaded, or invested by the other, be restrained from quitting that place with her cargo; nor, if found therein after the reduction and surrender, shall such vessel or her cargo be liable to confiscation, but they shall be restored to the owners thereof.

XXI. In order to prevent all kind of disorder in the visiting and examination of the ships and cargoes of both the Contracting Parties on the high seas, they have agreed mutually that whenever a national vessel of war, public or private, shall meet with a neutral of the other Contracting Party, the first shall remain out of cannon-shot, unless in stress of weather, and may send its boat, with 2 or 3 men only, in order to execute the said examination of the papers concerning the ownership and cargo of the vessel, without causing the least extortion, violence, or ill-treatment, for which the commanders of said armed ships shall be responsible with their persons and property; for which purpose the commanders of private armed vessels shall, before receiving their commissions, give sufficient security to answer for all the damages they may commit. And it is expressly agreed that the neutral party shall in no case be required to go on board the examining vessel for the purpose of exhibiting her papers, or for any other purpose whatever.

XXII. To avoid all kinds of vexation and abuse in the examination of the papers relating to the ownership of the vessels belonging to the citizens of the 2 Contracting Parties, they have agreed, and do hereby agree, that in case one of them should be engaged in war, the ships and vessels belonging to the citizens of the other must be furnished with sea-letters or passports expressing the name, property, and bulk of the ship, as also the name and place of habitation of the master and commander of the said vessel, in order that it may

thereby appear that the ship really and truly belongs to the citizens of one of the parties. They have likewise agreed, that when such ships have a cargo, they shall also be provided, besides the said sea-letters or passports, with certificates containing the several particulars of the cargo, and the place whence the ship sailed, so that it may be known whether any forbidden or contraband goods are on board the same; which certificates shall be made out by the officers of the place whence the ship sailed in the accustomed form; without which requisites, said vessel may be detained to be adjudged by the competent tribunal, and may be declared lawful prize, unless the said defect shall be proved to be owing to accident, and shall be satisfied or supplied by equivalent testimony.

XXIII. It is further agreed, that the stipulations above expressed, relative to the visiting and examination of vessels, shall apply only to those which sail without convoy; and when said vessels shall be under convoy, the verbal declaration of the commander of the convoy, on his word of honour, that the vessels under his protection belong to the nation whose flag he carries, and, when they may be bound to an enemy's port, that they have no contraband goods on board, shall be sufficient.

XXIV. It is further agreed, that in all cases the established courts for prize causes in the country to which the prizes may be conducted shall alone take cognizance of them. And whenever such tribunals, of either party, shall pronounce judgment against any vessel, or goods, or property claimed by the citizens of the other party, the sentence or decree shall mention the reasons or motives upon which the same shall have been founded; and an authenticated copy of the sentence or decree, and of all the proceedings in the case, shall, if demanded, be delivered to the commander or agent of said vessel without any delay, he paying the legal fees for the same.

XXV. For the purpose of lessening the evils of war, the 2 High Contracting Parties further agree, that in case a war should unfortunately take place between them, hostilities shall only be carried on by persons duly commissioned by the Government, and by those under their orders, except in repelling an attack or invasion, and in the defence of property.

XXVI. Whenever one of the Contracting Parties shall be engaged in war with another State, no citizen of the other Contracting Party shall accept a commission or letter of marque for the purpose of assisting or co-operating hostilely with the said enemy against the said parties so at war, under the pain of being treated as a pirate.

XXVII. If by any fatality (which cannot be expected, and God forbid) the 2 Contracting Parties should be engaged in a war with each other, they have agreed, and do agree, now for then, that there

shall be allowed the term of 6 months to the merchants residing on the coasts and in the ports of each other, and the term of 1 year to those who dwell in the interior, to arrange their business and transport their effects wherever they please, giving to them the safe-conduct necessary for it, which may serve as a sufficient protection until they arrive in the designated port. The citizens of all other occupations who may be established in the territories or dominions of The United States or of Nicaragua shall be respected and maintained in the full enjoyment of their personal liberty and property, unless their particular conduct shall cause them to forfeit this protection, which, in consideration of humanity, the Contracting Parties engage to give them.

XXVIII. Neither the debts due from individuals of the one nation to the individuals of the other, nor shares nor money which they may have in the public funds, nor in public or private banks, shall ever, in any event of war or of national difference, be sequestered or confiscated.

XXIX. Both the Contracting Parties, being desirous of avoiding all inequality in relation to their public communications and official intercourse, have agreed, and do agree, to grant to the Envoys, Ministers, and other public agents, the same favours, immunities, and exemptions which those of the most favoured nations do or shall enjoy; it being understood that whatever favours, immunities, or privileges the United States of America or the Republic of Nicaragua may find it proper to give to the Ministers and public agents of any other Power, shall by the same Act be extended to those of each of the Contracting Parties.

XXX. To make more effectual the protection which The United States and the Republic of Nicaragua shall afford in future to the navigation and commerce of the citizens of each other, they agree to receive and admit Consuls and Vice-Consuls in all the ports open to foreign commerce, who shall enjoy in them all the rights, prerogatives, and immunities of the Consuls and Vice-Consuls of the most favoured nation: each Contracting Party, however, remaining at liberty to except those ports and places in which the admission and residence of such Consuls may not seem convenient.

XXXI. In order that the Consuls and Vice-Consuls of the 2 Contracting Parties may enjoy the rights, prerogatives, and immunities which belong to them by their public character, they shall, before entering on the exercise of their functions, exhibit their commission or patent, in due form, to the Government to which they are accredited; and, having obtained their exequatur, they shall be held and considered as such by all the authorities, magistrates, and inhabitants in the Consular district in which they reside.

XXXII. It is likewise agreed that the Consuls, their secretaries;

officers, and persons attached to the service of Consuls, they not being citizens of the country in which the Consul resides, shall be exempt from all public service, and also from all kind of taxes, imposts, and contributions, except those which they shall be obliged to pay on account of commerce or their property, to which the citizens and inhabitants, native and foreign, of the country in which they reside are subject, being in everything besides subject to the laws of the respective States. The archives and papers of the Consulates shall be respected inviolably, and under no pretext whatever shall any magistrate seize, or in any way interfere with them.

XXXIII. The said Consuls shall have power to require the assistance of the authorities of the country for the arrest, detention and custody of deserters from the public and private vessels of their country; and for that purpose they shall address themselves to the courts, judges, and officers competent, and shall demand, in writing, the said deserters, proving, by an exhibition of the registers of the vessels, or ship's roll, or other public documents, that those men were part of the said crews; and on this demand, so proved (saving, however, where the contrary is proved by other testimonies), the delivery shall not be refused. Such deserters, when arrested, shall be put at the disposal of the said Consuls, and may be put in the public prisons, at the request and expense of those who reclaim them, to be sent to the ships to which they belong, or to others of the same nation. But if they be not sent back within 2 months, to be counted from the day of their arrest, they shall be set at liberty, and shall be no more arrested for the same cause.

XXXIV. For the purpose of more effectually protecting their commerce and navigation, the 2 Contracting Parties do hereby agree to form, as soon hereafter as circumstances will permit, a Consular Convention, which shall declare specially the powers and immunities of the Consuls and Vice-Consuls of the respective parties.

XXXV. It is and has been stipulated by and between the High Contracting Parties:

1. That the citizens, vessels, and merchandize of The United States shall enjoy in all the ports and harbours of Nicaragua, upon both oceans, a total exemption from all port-charges, tonnage or anchorage duties, or any other similar charges now existing, or which may hereafter be established, in manner the same as if said ports had been declared free ports. And it is further stipulated that the right of way or transit across the territories of Nicaragua, by any route or upon any mode of communication at present existing, or which may hereafter be constructed, shall at all times be open and free to the Government and citizens of The United States for all lawful purposes whatever; and no tolls, duties, or charges of any

kind shall be imposed upon the transit, in whole or part, by such modes of communication, of vessels of war or other property belonging to the Government of The United States, or on public mails sent under the authority of the same, or upon persons in its employ, nor upon citizens of The United States, nor upon vessels belonging to them. And it is also stipulated, that all lawful produce, manufactures, merchandize, or other property belonging to citizens of The United States passing from one ocean to the other, in either direction for the purpose of exportation to foreign countries, shall not be subject to any import or export duties whatever; or if any citizens of The United States, having introduced such produce, manufactures, or merchandize, into the State of Nicaragua, for sale or exchange, shall, within 3 years thereafter, determine to export the same, they shall be entitled to drawback equal to four-fifths of the amount of duties paid upon their importation.

2. And inasmuch as a contract was entered into on the 27th day of August, 1849,* between the Republic of Nicaragua and a company of citizens of The United States, styled "The American Atlantic and Pacific Ship-Canal Company," and in order to secure the construction and permanence of the great work thereby contemplated both High Contracting Parties do severally and jointly agree to protect and defend the above-named company in the full and perfect enjoyment of said work, from its inception to its completion, and after its completion, from any acts of invasion, forfeiture, or violence, from whatsoever quarter the same may proceed: and to give full effect to the stipulations here made, and to secure, for the benefit of mankind, the uninterrupted advantages of such communication from sea to sea, The United States distinctly recognizes the rights of sovereignty and property which the State of Nicaragua possesses in and over the line of said canal, and for the same reason guarantees positively and efficaciously the entire neutrality of the same, so long as it shall remain under the control of citizens of The United States, and so long as The United States shall enjoy the privileges secured to them in the preceding section of this Article.

3. But if, by any contingency, the above-named "American Atlantic and Pacific Ship-Canal Company" shall fail to comply with the terms of their contract with the State of Nicaragua, all the rights and privileges which said contract confers shall accrue to any company of citizens of The United States which shall, within 1 year after the official declaration of failure, undertake to comply with its provisions, so far as the same may at that time be applicable, provided the Company thus assuming said contract shall first present to the President and Secretary of State of The United States satisfac-

tory assurances of their intention and ability to comply with the same; of which satisfactory assurances the signature of the Secretary of State and the seal of the Department shall be complete evidence.

4. And it is also agreed, on the part of the Republic of Nicaragua, that none of the rights, privileges, and immunities guaranteed, and by the preceding Articles, but especially by section 1 of this Article, conceded to The United States and its citizens, shall accrue to any other nation or to its citizens, except such nation shall first enter into the same Treaty stipulations for the defence and protection of the proposed great Inter-oceanic Canal which have been entered into by The United States, in terms the same with those embraced in section 2 of this Article.

XXXVI. The United States of North America and the Republic of Nicaragua, desiring to make as durable as possible the relations which are to be established by virtue of this Treaty, have declared solemnly, and do agree to, the following points :

1. The present Treaty, without prejudice to the provisions of section 2 of the preceding Article, shall remain in full force and vigour for the term of 20 years from the day of the exchange of ratifications; and if neither party notifies the other of its intention of reforming any or all the Articles of this Treaty 12 months before the expiration of the 20 years stipulated above, the said Treaty shall continue binding on both parties beyond the said 20 years until 12 months from the time that one of the parties notifies the other of its intention of proceeding to a reform.

2. The provisions of this Treaty shall extend to any confederation of Republican States of which Nicaragua may voluntarily become a part, or with which she may voluntarily become identified.

3. If any one or more of the citizens of either party shall infringe any of the Articles of the Treaty, such citizens shall be held personally responsible for the same, and the harmony and good correspondence between the nations shall not be interrupted thereby; each party engaging in no way to protect the offender or sanction such violation.

4. If, unfortunately, any of the Articles contained in this Treaty should be violated or infringed in any way whatever, it is expressly stipulated that neither of the 2 Contracting Parties shall ordain or authorize any acts of reprisal, nor shall declare war against the other on complaints of injuries or damages, until the said party considering itself offended shall have laid before the other a statement of such injuries or damages, verified by competent proofs, demanding justice and satisfaction, and the same shall have been denied in violation of the laws of international right.

XXXVII. The present Treaty of Peace, Amity, Commerce, and

Navigation shall be approved and ratified by the President of The United States, by and with the advice and consent of the Senate thereof, and by the President of the Republic of Nicaragua, with the consent and approbation of the Congress of the same; and the ratification shall be exchanged, in the city of Washington, within 8 months from the date of the signature thereof, or sooner if possible.

In faith whereof, we, the Plenipotentiaries of the United States of America and of the Republic of Nicaragua have signed and sealed these presents in the city of Leon, on the 3rd day of September, in the year of our Lord, 1849, and of the independence of The United States the 73rd.

(L.S.) E. GEO. SQUIER.

(L.S.) HERM'DO. ZEPEDA.

No. 60.—Viscount Palmerston to Sir Henry Bulwer.

SIR,

Foreign Office, October 18, 1850.

WITH reference to your despatch of the 29th ultimo, inclosing a copy of a letter which you have addressed to The United States' Secretary of State, calling his attention to the proposal which has been made to Her Majesty's Government by the Government of Costa Rica, that Great Britain and The United States should mediate jointly between Costa Rica and Nicaragua in the matter of the question respecting the boundaries of the 2 States, I have to state to you that Her Majesty's Government approve of the letter which you have addressed to Mr. Webster upon the above-mentioned subject.

I am, &c.

Sir Henry Bulwer.

PALMERSTON.

No. 61.—Viscount Palmerston to Sir Henry Bulwer.

SIR,

Foreign Office, October 25, 1850.

I TRANSMIT herewith copies of a letter and of its inclosures which I have received from the Admiralty, stating that an agent of The United States' Ship-Canal Company has been exciting the Nicaraguans and his own countrymen to take possession of Greytown, and that Commodore Bennett has considered it necessary to send Her Majesty's ship *Indefatigable* to protect Greytown, against this threatened attack.

I have to instruct you to represent to Mr. Webster how much it would be to be lamented if any conflict should take place in regard to matters which the 2 Governments are preparing to settle amicably and satisfactorily.

I am, &c.

Sir Henry Bulwer.

PALMERSTON.

(Inclosure 1.)—*Vice-Admiral the Earl of Dundonald to the Secretary to the Admiralty.*

SIR,

Wellesley, at *Halifax*, October 1, 1850.

I TRANSMIT herewith, to be laid before the Lords Commissioners of the Admiralty, a copy of a letter which I received yesterday by a merchant-vessel from Commodore T. Bennett, at Jamaica, dated the 6th ultimo, with its inclosure from Commander A. G. Bulman, of Her Majesty's sloop *Persian*, dated at Greytown, Mosquito, the 25th August, reporting the arrival of the Bermuda schooner, and that an attack upon the town by the Nicaraguans was anticipated, in consequence of which the Commodore had dispatched Her Majesty's ship *Indefatigable* to Greytown, in the hope that the presence of a ship of her force would effectually check any hostile demonstrations.

I am, &c.

The Secretary to the Admiralty.

DUNDONALD.

(Inclosure 2.)—*Commodore Bennett to Vice-Admiral the Earl of Dundonald.*

(Extract.)

Imaum, at *Port Royal*, September 6, 1850.

I HAVE the honour to inclose herewith the copy of a letter from Commander Bulman, of Her Majesty's sloop *Persian*, by which your Lordship will see what is going on at Greytown and the apprehension there is of its being attacked by the Nicaraguans, instigated thereto by certain Americans, who are now intriguing, it is supposed, to obtain possession of that part of the Kingdom of Mosquito.

Under the circumstances, I have thought it right to send the *Indefatigable* to that place for a short time, and I have no doubt the appearance of a ship of war of her magnitude will have considerable effect upon the Nicaraguans and their coadjutors.

The *Persian* having had a great number of her crew sick I have directed Captain Smart to send her to sea for a few days while he remains at Greytown, in order to recruit the health of her men, and to permit her to go to Corn Island for refreshments for her crew, there being no vegetables of any description to be obtained at Greytown.

I have limited the stay of the *Indefatigable* at Greytown to a fortnight, unless any unforeseen circumstance should make it necessary to prolong her stay there.

I shall send this letter by the first American steam-ship to the care of Her Majesty's Consul at New York, to be forwarded to Halifax by the first conveyance.

Vice-Admiral the Earl of Dundonald.

THOS. BENNETT.

No. 62.—*Sir H. Bulwer to Viscount Palmerston.*—(Rec. October 28.)
(Extract.) *Washington, October 10, 1850.*

THE late agent of The United States in Nicaragua, Mr. Squier, has been asserting lately, in positive terms, that at the time when Her Majesty's Government professed to have no intention of taking Costa Rica under British protection, Mr. Chatfield negotiated a Treaty, approved of by your Lordship, for extending the protection of Great Britain over the State in question.

I deemed it better, therefore, to write Mr. Webster a few lines, a copy of which I have the honour to inclose to your Lordship, forwarding him a copy of the real Treaty negotiated by Mr. Chatfield.

As Mr. Squier has alluded to a note written by me to Mr. Clayton, on the 29th April last, containing the opinion of Her Majesty's Government, which your Lordship wished me to make known to the late Secretary of State, as to the establishment of a British Protectorate in Costa Rica, I have thought it as well to take the present opportunity of placing on record the circumstances under which that communication was written.

Viscount Palmerston, G.C.B.

H. L. BULWER.

(Inclosure).—*Sir Henry Bulwer to Mr. Webster.*

(Extract.) *British Legation, October 8, 1850.*

ON the 29th of April last I made a communication to Mr. Clayton with respect to a Treaty which Mr. Clayton had been informed that the British Consul-General at Guatemala had made with Costa Rica for taking that Republic under British protection.

This communication was made by me to Mr. Clayton, under the following circumstances:—

It had been stated by the 2 Governments of Great Britain and The United States, in the month of November last, that neither wished to obtain any increase of influence or dominion in Central America; and Mr. Clayton and myself were negotiating a Treaty between the 2 Governments on this basis; a report, however, arrived in this country during the negotiation referred to, and in contravention of the principle just stated, to this effect, viz., that Mr. Chatfield had just made a Treaty with Costa Rica, and that such Treaty took that State under the protection of Great Britain.

Mr. Clayton, therefore, asked me, very naturally, and in a perfectly friendly manner, whether I believed that Mr. Chatfield had made such a Treaty as the one described. I stated that I did not; and I informed Her Majesty's Government of the nature of the inquiry that had been made of me, and of the answer which I had given to it.

Lord Palmerston answered my communication, by approving of the answer to which I have alluded, and furthermore instructed

me to inform The United States' Government in reference to the particular subject that had been mooted between Mr. Clayton and myself, what the views of the British Government really were, which I did in my note of the 29th of April last, in the words of the instructions I had received.

You will see, by this statement, that the inquiry of Mr. Clayton was conceived in the same spirit as the reply that was given to it; and that the object of the communications which passed between us was to destroy an erroneous impression, any misunderstanding concerning which might have tended to defeat the general and amicable arrangement which we were then endeavouring to carry out with respect to the policy of Great Britain and The United States in Central America.

I need hardly say, Sir, that the information I gave your predecessor was strictly correct; but since this fact has been publicly denied by your late agent in Nicaragua, who, on the contrary, asserts and maintains that Mr. Chatfield did make a Treaty with Costa Rica, taking that State under its protection, I hereby furnish you with a copy of the Treaty which Mr. Chatfield really made and which was approved of by Her Majesty's Government; and you will see, therefore, that it is purely and simply an ordinary Treaty of Commerce, such as independent States make with each other, and does not contain one word relative to British protection, or that can be construed in any way into an engagement to extend such protection to Costa Rica.

D. Webster, Esq.

H. L. BULWER.

No. 63.—Viscount Palmerston to Sir Henry Bulwer.

SIR,

Foreign Office, October 28, 1850.

I HAVE received your despatch of the 29th ultimo, reporting your conversation with Mr. Webster, respecting the territorial questions which are now pending in regard to Central America, and I have to acquaint you that Her Majesty's Government entirely approve the course which you have pursued and the language which you have held upon those matters.

It seems advisable that the British and The United States' Governments, in settling these various questions connected with Central America and with the projected canal, should look rather to permanent interests and general considerations than to the particular and local circumstances of the last 2 years.

The course of events for some time past has placed the Government of The United States in closer connection with Nicaragua than with any of the other Republics of Central America, while, on the other hand, the British Government has been thrown into more

friendly relations with Costa Rica; but both the British and The United States' Governments are too well acquainted with the character and habits of these Spanish-American nations to found any permanent system of policy upon partialities and preferences which have arisen from temporary causes and from the accidental influences of men enjoying momentary power in these small States. The Government of Nicaragua had an object to carry against the Government of Great Britain, and conscious of their own weakness, they tried by professions of unbounded devotion to engage The United States to become their champion in the quarrel. The Government of Costa Rica were in dread of attack from their neighbours in Nicaragua, and were suspicious of the designs of The United States, and they sought assistance and protection from Great Britain; but notwithstanding all this, it would be perfectly possible that a short time hence the feelings of these 2 Central American States might be entirely altered, and that, by changes of men and of circumstances, the Government of Nicaragua might give just cause of complaint to The United States, and the Government of Costa Rica might act oppressively towards British subjects.

If then we take a large and unprejudiced view of the arrangements which would be best calculated to carry fairly into effect the stipulations of the Treaty lately concluded between Great Britain and The United States, and to secure in the best manner the execution and well working of the canal, it would seem that we should be led to the conclusion that it is necessary that the sea-port towns which will rise into considerable importance at each end of the canal, should be placed under the sovereignty of some Central American State capable, by its administrative organization and by the proximity of its seat of Government, to provide efficiently for the maintenance of peace and good order, and for the proper administration of justice in each of those towns. Now, geographical as well as political considerations seem to point out the Government of Nicaragua, whose capital is Leon near the Pacific, as the proper guardian of the western outlet of the canal, and the Government of Costa Rica, whose capital is San José, on the Atlantic side of the Isthmus, as the guardian of the eastern outlet; and many considerations might be suggested which would tend to show that it might be more advantageous to the general interests of those nations who are to make use of the canal, that both ends of it should not be under the control of one and the same South American Government.

It is probable that the real interests of Nicaragua would be better consulted by settling in her favour, questions of disputed territory on the western side of the Isthmus, than by giving her occupation of a port on the eastern side, and the Government of

Costa Rica would no doubt acquiesce in any fair and reasonable arrangement which Great Britain and The United States might propose to the 2 Parties on these matters.

I am, &c.

Sir Henry Bulwer.

PALMERSTON.

No. 64.—Viscount Palmerston to Sir Henry Bulwer.

SIR,

Foreign Office, October 28, 1850.

I HAVE received your despatch of the 29th ultimo, and I have to acquaint you that Her Majesty's Government approve the observations contained in the memorandum which you have communicated to Mr. Webster with reference to Mr. Squier's Treaty with Nicaragua.

Upon a general view of this matter it is to be observed that the Treaty negotiated by Mr. Squier was suggested by feelings of suspicion and hostility towards Great Britain on the part of The United States, and by a desire, which those feelings inspired of counteracting the supposed designs of England by obtaining an exclusive preference for The United States.

The United States' Agent imagined that the proceedings of Great Britain in regard to Mosquito and Greytown indicated an intention to establish territorial possession in Central America, and thereby to shut out The United States from that which appeared to be the best line of communication across the isthmus from sea to sea.

The general proceedings of Mr. Squier and the Treaty which he concluded were all conceived in that spirit of hostility which those erroneous impressions had created.

Those impressions have now been removed, not only by the frank explanations and declarations of Her Majesty's Government, but by the Treaty of the 19th of April. That Treaty was conceived in a totally different spirit; it has become the pledge of mutual confidence between the 2 Governments, and has dispelled their reciprocal distrust. It is an assurance for equality of rights, advantages, and privileges for the people of the 2 countries in regard to the passage across the isthmus; and it puts an end to all rivalry for exclusive or preferential conditions.

It is, moreover, a bond of harmony between the 2 countries in regard to territorial questions between the several States of Central America, and is therefore incompatible with any engagements which should fetter the discretion of either of the 2 Governments by binding either of them to take part with one or other of those States in regard to such questions.

The United States' Government will no doubt view these matters in this light, and will so shape and modify its engagements with Nicaragua, if it should deem it necessary at the present moment to

enter into any, as to render such engagements entirely conformable with the spirit as well as with the letter of their Treaty with Great Britain, and so as to render it possible for other States to enter, if they should think fit, into similar Conventions.

I am, &c.

Sir Henry Bulwer.

PALMERSTON.

No. 65.—Viscount Palmerston to Sir Henry Bulwer.

(Extract.)

Foreign Office, November 1, 1850.

I HAVE received your despatch of the 10th ultimo, and I have to acquaint you that Her Majesty's Government approve the letter which you addressed to Mr. Webster on the 8th ultimo, contradicting the statement that Great Britain has concluded a Treaty taking the Republic of Costa Rica under her protection.

Sir Henry Bulwer.

PALMERSTON.

No. 66.—Sir H. Bulwer to Viscount Palmerston.—(Rec. Dec. 2.)

MY LORD,

Boston, November 14, 1850.

CONFORMABLY with the instructions contained in your Lordship's despatch of 25th October, I had some conversation yesterday with Mr. Webster, in regard to the conduct of an agent of The United States' Canal Company, who, according to the representations which have reached your Lordship, has been endeavouring to excite the Nicaraguans and his own countrymen to take possession of Greytown.

Mr. Webster assured me that he himself regretted, as much as your Lordship, any such proceedings, if they had really occurred, of which he was ignorant; and added, that I might feel satisfied that nothing of the kind should receive any countenance from The United States' Government.

I have, &c.

Viscount Palmerston, G.C.B.

H. L. BULWER.

No. 67.—Sir H. Bulwer to Viscount Palmerston.—(Rec. Dec. 2.)

MY LORD,

Boston, November 18, 1850.

I HAVE the honour to inform your Lordship that I communicated verbally to Mr. Webster the substance of your Lordship's despatch of the 4th October, with respect to fixing at 25 nautical miles, the limits within which vessels traversing the Central American Ship-Canal should enjoy exemption from blockade, detention, &c.; and Mr. Webster stated to me that the proposal appeared to him a fair one; adding, however, that on his return to Washington, and after receiving a written communication from me on the subject, he would give me a more decided answer with respect to it.

I have, &c.

Viscount Palmerston, G.C.B.

H. L. BULWER.

No. 68.—*Sir H. Bulwer to Viscount Palmerston.*—(Rec. Dec. 2.)
(Extract.) *Boston, November 18, 1850.*

HAVING been lately informed by Mr. Chatfield, Her Majesty's Chargé d'Affaires at Guatemala, that the American flag hoisted last spring by Mr. Squier on Tigre Island, in token of the cession of that island to The United States, continued to be displayed there, notwithstanding the disavowal by the Honduras Legislature of the Treaty by which Tigre Island was temporarily ceded to The United States; and notwithstanding the assurance I received from Mr. Clayton, that he had himself disapproved of the said Treaty; I mentioned this circumstance to Mr. Webster, who promised me that the matter should at once be settled, and orders sent out for the removal of the American flag from the island in question.

I took this opportunity of speaking generally to Mr. Webster as to the advisability of finally settling all matters still pending in relation to the differences between Nicaragua, Costa Rica, and Mosquito, and the final position of Greytown; and Mr. Webster stated to me that he was only waiting, in order to do so, to see whether the Nicaraguans sent an agent, as they had said they would, to this country; and if they did so, he should prefer arranging all pending questions with them here; but if they did not, he should at once send an agent for that purpose to Nicaragua; and that at any rate it was his desire to contribute, as far as lay in his power to a general settlement of all questions connected with the Canal, to which the Treaty of the 19th April refers; and the relative condition of the different Central American Powers.

Viscount Palmerston, G.C.B.

H. L. BULWER.

No. 69.—*Viscount Palmerston to Sir Henry Bulwer.*

SIR, *Foreign Office, January 22, 1851.*

REPORTS having reached Her Majesty's Government by which it appears that the Government of Costa Rica apprehends that the Government of Nicaragua may have recourse to hostile measures against Costa Rica, I have to instruct you to say to The United States' Secretary of State that as the Government of The United States is, equally with Her Majesty's Government, desirous that peace should be maintained in Central America, Her Majesty's Government trusts that The United States' Government will exert its influence with the Government of Nicaragua to prevent it from making any hostile attack on Costa Rica. I am, &c.

Sir Henry Bulwer.

PALMERSTON.

No. 70.—*Viscount Palmerston to Sir Henry Bulwer.*

(Extract.) *Foreign Office, January 28, 1851.*

WITH reference to my despatch of the 22nd instant, respecting

the hostile designs of the Government of Nicaragua against Costa Rica, I have to instruct you to urge The United States' Government to concur with that of Great Britain in endeavouring to maintain peace in Central America.

You will point out to Mr. Webster that there can be no subjects to dispute between different States in that country which could not be susceptible of amicable adjustment by the friendly good offices of Great Britain and The United States; and that it would be much to be lamented if at the moment when England and The United States have concluded a Treaty, the proposed object of which is to make Central America the seat of a great work dedicated to commerce and destined to bind nations together by the ties of peaceful intercourse, an outbreak of bad passions should be allowed to overspread the land with the calamities of war.

You will add that it is well known that at the present moment the influence of The United States is all powerful in Nicaragua, and that Her Majesty's Government hope and trust that that influence may be exerted to prevent hostilities from taking place.

Sir Henry Bulwer.

PALMERSTON.

No. 71.—Sir H. Bulwer to Viscount Palmerston.—(Rec. March 24.)
(Extract.) *Washington, March 10, 1851.*

I CALLED on Mr. Webster on the 26th ultimo, and read to him your Lordship's 2 communications of January 22 and 28, relative to the differences between Nicaragua and Costa Rica, and the desire of Her Majesty's Government that The United States' Government should use its influence with Nicaragua to prevent hostilities taking place between the 2 above-mentioned Central American States.

Mr. Webster assured me that any influence he could use would be exercised in a spirit of peace.

Viscount Palmerston, G.C.B.

H. L. BULWER.

No. 72.—Sir H. Bulwer to Viscount Palmerston.—(Rec. May 19.)
MY LORD, *Washington, May 5, 1851.*

As I understood that Mr. Webster is about to take up the question of Central America for the purpose of coming to some definite understanding with M. Marcoleta, the Nicaraguan Minister, with respect to a Treaty of Commerce in lieu of that negotiated by Mr. Squier with the Government of Nicaragua, I have thought it as well to state to M. Marcoleta, as an additional inducement to him to frame such a reasonable Treaty of Commerce as all nations could agree to, that I should be prepared in such case to enter into a negotiation with him for the purpose of concluding a Commercial Treaty with him in behalf of Her Majesty's Government, which I

trust your Lordship will consider I was authorized to say from the tenor of your Lordship's despatch of May 10 of last year.

I have, &c.

Viscount Palmerston, G.C.B.

H. L. BULWER.

No. 73.—Viscount Palmerston to Sir Henry Bulwer.

SIR,

Foreign Office, May 22, 1851.

WITH reference to your despatch of the 5th instant, I have to acquaint you that Her Majesty's Government approve of your having stated to M. Marcoleta that if the new Treaty between Nicaragua and The United States should contain such reasonable stipulations as all nations could concur in, you would be prepared to enter into negotiations with him for the purpose of concluding a Commercial Treaty between Great Britain and the States of Nicaragua.

I am, &c.

Sir Henry Bulwer.

PALMERSTON.

No. 74.—Sir H. Bulwer to Viscount Palmerston.—(Rec. June 2.)
(Extract.)

Washington, May 19, 1851.

ALTHOUGH I have had different conversations with Mr. Webster respecting the different points yet unsettled in regard to the Convention of the 19th of April; the Treaty which this Government proposes to make with Nicaragua; the transfer of Greytown; and the view which both Governments might take respecting the disputes between the different Central American Governments; his mind and time have been so occupied with a variety of other matters that he has frankly confessed to me that he has been unable as yet to give that full attention to these subjects which would enable him to make what he should consider a satisfactory proposal concerning them.

Certain points have, however, been verbally settled between us:

1. That this Government will do everything in its power to dissuade the different Central American Governments from waging war upon each other.

2. That it will be willing to act with us in any question which may be referred to us for arbitration by disputing parties amongst those States. And

3. That in the Treaty to be made with Nicaragua he will not recognize the exclusive right of Nicaragua over the San Juan river, nor make more than a commercial Treaty with that Government.

I have read to Mr. Webster different despatches from your Lordship, having reference to these matters; he has recognized in them all a fair and liberal spirit which he is prepared to meet in a similar spirit; but the most difficult as well as the paramount point to decide, and without a decision on which I fear that the difficulties

with respect to Central America are rather adjourned than arranged, I have not been able to advance towards any satisfactory issue—I mean Greytown.

Were the Government of Nicaragua willing to agree to such an arrangement as that of placing Costa Rica in possession of this town, in consideration of other concessions to be made to it in the territory elsewhere in dispute between it and Costa Rica, I am not inclined to think that Mr. Webster or The United States' Government would feel any objection thereto. Indeed, Mr. Webster has at different times, for his own part, not seemed adverse to this mode of settlement; but it is now clear that Nicaragua will, from its jealousy of Costa Rica, treat such a proposition with even less favour than the present possession of Greytown by the Mosquitos, under the protection of Great Britain; and, therefore, The United States' Government, which considers itself more or less pledged by the acts of its different agents, will not, I feel certain, come to any understanding with Her Majesty's Government which would have for its object the placing of Greytown in the hands of the Costa Ricans.

A plan which suggests itself to me would be as follows, that Greytown, should be conceded to Nicaragua:

1. On the condition of making some payment or pension to the Mosquito Government.
2. On the condition of not molesting or in any way disturbing the Mosquitos in the possession of their remaining territory.
3. That it should concede to Costa Rica the southern bank of the River San Juan, from a point named down to the port of San Juan.
4. That it should agree to some arrangement as to the disputed territory of Guanacaste, either by the cession of the whole of the same to Costa Rica, or of a part thereof, or by the reference of the matter to arbitrament. Any other conditions which suggested themselves to your Lordship might be added.

Should your Lordship, under all the circumstances, be disposed to consider favourably this suggestion, the course which, after some consideration, I should be disposed to advise, would be a new Treaty, supplementary to that of the 19th of April, with Mr. Webster, settling first the distance from the two ends of the proposed canal, at which, in case of war, neutrality should be observed; declaring next that the 2 Governments had agreed to such and such terms with regard to Greytown, and would do their utmost to see them carried into execution; and lastly, providing that in all cases where the Central American States seemed disposed to enter into unnecessary quarrels amongst themselves, thereby interfering with the purposes for which the canal is to be established, the 2 Governments (Great Britain and The United States) should interpose for the

purpose of preventing such wars, and adjusting in a fair and equitable manner the differences that had occurred between the States in question.

It appears that Costa Rica and Guatemala are willing to make a request for such mediation, and I have little doubt that the other Governments of Central America would concur in this request, if so advised by The United States, and that they saw that there was really a good understanding and cordial alliance established between Great Britain and The United States with respect to Central America.

Viscount Palmerston, G.C.B.

H. L. BULWER.

No. 75.—Viscount Palmerston to Sir Henry Bulwer.

(Extract.)

Foreign Office, June 25, 1851.

HER Majesty's Government have had under their consideration your despatch of the 19th ultimo; and I have to state to you in reply, that Her Majesty's Government would not be averse to agree to the arrangement suggested by you, whereby, under certain conditions, Greytown would be ceded to Nicaragua, if there should be found to be insurmountable difficulties to prevent the cession of Greytown to Costa Rica, as originally proposed by Her Majesty's Government.

In such case the arrangement would be as follows :

1. The United States would conclude with Nicaragua a simple Treaty of Commerce, which should contain no stipulations, engagements, or declarations as to the territorial rights or limits of Nicaragua.

2. Great Britain would conclude with Nicaragua a Treaty, by which Great Britain, on behalf of Mosquito, would cede to Nicaragua, Greytown, and a definite district adjoining to it, in consideration of the payment of a sum of money to be agreed upon, the amount of which should be stated in the Treaty; and it would be best that this should be a sum of money to be paid down at once, rather than an annual payment, because an annual payment might be unpaid, and would thus become a frequent cause of dispute between Mosquito and Nicaragua, and of consequent reference to the British Government.

3. Nicaragua should engage not to molest Mosquito; and if possible the inland boundary between those 2 States should be described in the Treaty.

4. The southern bank of the St. John should be acknowledged to belong to Costa Rica, as proposed in your despatch.

5. The disputed questions between Nicaragua and Costa Rica on the Pacific should be settled favourably to Costa Rica.

6. Greytown should be a free boundary port. The duties on

exporting from thence into the interior should never exceed a fixed amount, say 5 per cent.; and the merchants, goods, vessels and trade of all the States of Central America should have access to and the use of the port upon the same terms and conditions as the merchants, goods, vessels, and trade of Nicaragua.

Sir Henry Bulwer.

PALMERSTON.

No. 76.—Sir H. Bulwer to Viscount Palmerston.—(Rec. July 14.)
(Extract.) *Washington, June 30, 1851.*

I HAVE the satisfaction of informing you that Mr. Webster has, as I understand, just concluded a Commercial Treaty with M. Marcoleta, the Nicaraguan Minister, from which are excluded all the objectionable points of the Treaty entered into by Mr. Squier.

I am now negotiating with Mr. Webster respecting the other points to be arranged with regard to Central America.

Viscount Palmerston, G.C.B.

H. L. BULWER.

No. 17.—Sir H. Bulwer to Viscount Palmerston.—(Rec. August 11.)
(Extract.) *Washington, July 28, 1851.*

I INFORMED your Lordship some time ago that M. Marcoleta was about to sign, on the part of the Nicaraguan Government, a Treaty of Commerce with Mr. Webster, from which Treaty all the objectionable passages which were to be found in Mr. Squier's previous arrangement were to be expunged.

I informed your Lordship also at the same time that M. Marcoleta stated that he was desirous to sign a similar Treaty with myself in regard to the future commercial relations to be established between Great Britain and Nicaragua, and as Mr. Webster and myself had almost come to a definite agreement with respect to the disposition of Greytown, and the general policy to be pursued between Great Britain and The United States in respect to Central America, it appeared to me almost certain that by this time I should be able to announce to your Lordship the satisfactory termination of an affair which has been so much discussed and so long procrastinated.

I found, however, somewhat to my surprise, a sudden change, not long after this, come over M. Marcoleta's mind, and he expressed himself unwilling to sign any Commercial Treaty with Great Britain or even with The United States, unless something respecting Greytown and the Mosquito territory was at the same time settled.

In the same manner Mr. Webster, though still expressing the opinions he had expressed before, seemed more or less indisposed to act upon them.

I did not deem it advisable to press M. Marcoleta upon a point which was of more consequence to his Government than to that of Her Majesty. I was, however, anxious that Her Majesty's Govern-

ment and that of The United States should agree in writing as to their own views in respect to the matter, which was of the most pressing importance to arrange, viz., the terms on which the Government of Her Majesty should negotiate with that of the Mosquitos, for the purpose of making over Greytown and a certain territory thereto adjoining, to some Central American State.

At Mr. Webster's desire I accordingly drew up a memoir expressing the opinions to which a discussion of this matter had conjointly brought us; and to this memoir he at first seemed disposed that we should both subscribe our names.

The altered conduct of M. Marcoleta, however, or some other motive, disinclined him finally to this course.

I then thought of another, which was, perhaps, as good as any that could be adopted, and to this he assented.

My proposal was, that a meeting should take place between M. Marcoleta, M. Molina, Mr. Webster, and myself, and that we should there frankly expose before each other what our separate views were, and see whether we could not, as the result of a conversation, come at once to some agreement.

This interview took place on the 11th of this month. I will not trouble your Lordship with a detailed statement of all that there occurred; suffice it to say, that, finding it utterly impossible to enter even upon the consideration of any arrangement which made over Greytown to Costa Rica, I told Mr. Webster that I would consent to such a Convention as that which your Lordship indicated to me in your last instructions upon this subject.

M. Molina, on the part of Costa Rica, fully assented to my proposition.

M. Marcoleta dissented; and gave in a proposition of his own, which I here inclose.

This proposition I in my turn refused, as unacceptable.

Mr. Webster then spoke; he said that he could not urge Her Majesty's Government to accept M. Marcoleta's offer, which deferred matters to a long protracted and indefinite issue; and the bent of his other arguments was to show that, though there might be some little objections to be made, here and there, to the plan I had suggested, it was, upon the whole, such a one as it was for the interests of Nicaragua to accept. "Let me, however," he added, "be understood clearly; the policy of The United States' Government is to take no active part in any question which does not immediately concern its own peculiar interests; the only immediate interest of The United States' Government here is the construction of a canal across the Isthmus upon such terms as would be fair to American commerce. The occupation of Greytown is so far indirectly connected with this question as to give us a concern in it, and inspire

us with a friendly desire to settle amicably all differences about it. But it does not so immediately and directly affect us as to make us take any active part either for or against the different claimants. I do not urge you, therefore, M. Marcoleta, either to accept or to reject any particular conditions. I can only give you such counsel as you may wish to receive from me, and inform you precisely as to the position in which I consider that my Government stands in regard to yours."

On M. Marcoleta's observing that it was, at all events, satisfactory for him to hear what the precise views of The United States' Government were, Mr. Webster said, "Have you powers to go beyond the proposition which you have now made? If you have such powers we may talk over the matter further and see what can be done; if you have not, you had better try to obtain them."

M. Marcoleta said he had not powers to go further than he had done, but that he should inform his Government of what had taken place, and endeavour to obtain new instructions.

Mr. Webster then observed, that the point which struck him as the one of most difficulty was, the extent of the concessions to be made to Costa Rica if Nicaragua received Greytown.

On this he seemed to think that M. Molina and M. Marcoleta might come to some compromise, and he advised them to talk that portion of the subject over together. M. Molina seemed to think that his Government might possibly make the sacrifice of a debt due to it from the State of Nicaragua were Guanacaste permitted to remain a portion of Costa Rica. But he was unwilling to admit that Costa Rica would make any further sacrifice.

I learn that M. Marcoleta means to proceed himself to Nicaragua in order to obtain such authority as he deems necessary to bring this affair to a conclusion. But, at all events, it is likely to remain in abeyance for 2 or 3 months.

I have, &c.

Viscount Palmerston, G.C.B.

H. L. BULWER.

(Inclosure.)—*Propositions of the Minister of Nicaragua to the Government of Great Britain and of The United States.*

Washington, July 12, 1851.

1. THE devolution to Nicaragua of the port of San Juan.
2. To submit to the decision of arbitrators the question of boundaries that exists between Nicaragua and Costa Rica; but the latter shall have in the meanwhile the right of the free navigation of the waters of the River San Juan, with sailing vessels between this port and the mouth of the River Serapiqui.
3. The arbitrators shall be The United States and England, and in case of appeal or discord, Spain and Belgium shall be requested to decide.

4. The Government of Nicaragua promises to declare as a free port that of San Juan, and any other on the Pacific which it should be judged convenient for the greater facility of the interoceanic communication.

5. Nicaragua shall celebrate a Treaty of Peace, Friendship, and Commerce, with the Government of Her Britannic Majesty, in whose preamble, or in any other of its Articles, shall be declared the regret that inspires the 2 High Contracting Parties, that the character and expression of their relations till this day have not been such as it would have been expected between 2 nations and 2 friendly Governments; and they will promise each other that henceforth they will keep the most benevolent relations.

J. DE MARCOLETA.

No. 78.—Viscount Palmerston to Sir Henry Bulwer.

MY LORD,

Foreign Office, August 15, 1851.

I HAVE received your despatch of the 28th ultimo, reporting what passed at your conference with Mr. Webster, M. Marcoleta, and M. Molina respecting Greytown and the Affairs of Central America; and I have to acquaint you that Her Majesty's Government approve the course which you have taken with regard to this matter.

I am, &c.

Sir Henry Bulwer.

PALMERSTON.

No. 79.—Viscount Palmerston to Sir Henry Bulwer.

(Extract.)

Foreign Office, August 15, 1851.

I HAVE to state that it is not the intention of Her Majesty's Government that the Mosquito Government should retain territorial sovereignty over Greytown, after that port shall have been transferred to one of the States of Central America.

Sir Henry Bulwer.

PALMERSTON.

No. 80.—Sir H. Bulwer to Viscount Palmerston.—(Rec. August 25.)

MY LORD,

New York, August, 12, 1851.

As the two principal affairs on which my attention has been occupied since my arrival in this country have been, first, some commercial arrangement between Her Majesty's North American Provinces and this country; and, secondly, the amicable settlement of those questions in Central America which have arisen out of the project of making a canal communication between the Atlantic and Pacific Oceans, by way of the Lake of Nicaragua and the River San Juan; and also out of the occupation of Greytown, at the mouth of the said river, by the King of the Mosquitos, the same town having been taken possession of in 1848, in the name of the aforesaid King, by Her Majesty's forces; I deem it as well at this moment, when I am about to quit my post on leave of absence, to observe to your Lordship

that both these questions, which have been of considerable difficulty to treat, seem now placed on a satisfactory footing.

The United States' Secretary of State has assured me that the President will be prepared to recommend some general arrangement of commercial intercourse between Her Majesty's colonies in North America and The United States, on an early occasion, to Congress; whilst a Treaty having been made by me last year in behalf of Her Majesty's Government, with The United States' Government, for the object of favouring the construction of the canal *viâ* Nicaragua, by affording thereto the protection of Great Britain and The United States, The United States' Government has not ratified another Treaty, which had been previously made with Nicaragua, acknowledging the right of that State over Greytown; but, on the contrary, has declared to the Nicaraguan Minister at Washington that it is only willing to make a simple Treaty of Commerce, apart from all political considerations, with the State of Nicaragua; whilst The United States' Secretary of State has at the same time, as stated in my despatch of July 31, advised the Minister from Nicaragua to obtain such instructions from his Government as would allow of a friendly arrangement respecting Greytown between Great Britain and Nicaragua, and also settle other questions, which it is important to determine, between the Central American States in the neighbourhood of the proposed canal.

I have, &c.

Viscount Palmerston, G.C.B.

H. L. BULWER.

No. 81.—Viscount Palmerston to Sir Henry Bulwer.

(Extract.)

Foreign Office, September 5, 1851.

WITH reference to your despatch of the 12th ultimo, reporting the state of your negotiations with the Government of The United States respecting the commercial intercourse between Her Majesty's North American Provinces and The United States, and respecting the questions relative to Central America which have arisen out of the Treaty of the 19th of April, 1850, between Great Britain and The United States, I have the satisfaction of informing you that Her Majesty's Government have entirely approved the manner in which you have conducted your negotiations with The United States' Government on these important matters.

Sir Henry Bulwer.

PALMERSTON.

No. 82.—Viscount Palmerston to Mr. Crampton.

(Extract.)

Foreign Office, September 5, 1851.

I HAVE to instruct you to take every fitting opportunity of saying that Her Majesty's Government still feel an unabated wish that a good commercial communication, either by canal or by railway, and open on equal terms to all the nations of the world, should be

established between the Atlantic and Pacific; and [you will state that Her Majesty's Government are most desirous of co-operating with the Government of The United States in affording for the construction of such communication any facilities which it may properly belong to the 2 Governments to give.

J. F. Crampton, Esq.

PALMERSTON.

No. 83.—*Mr. Crampton to Viscount Palmerston.*—(Rec. Dec. 15.)
(Extract.) *Washington, December 1, 1851.*

I OBSERVE, with regret, that the resumption of negotiations under the mediation of Great Britain and The United States, for the settlement of the difficulties between Costa Rica and Nicaragua, seems likely to be still further deferred.

The Nicaraguan Minister has received no further instructions upon the subject; and the unsettled condition of Nicaragua renders it a matter of great uncertainty whether the terms of any arrangement which he might enter into now, would be adhered to by whatever party may succeed in holding possession of the Government of that country.

Neither M. Molina nor M. Marcoleta are now at Washington, but the former is expected in a few days.

Viscount Palmerston, G.C.B.

JOHN F. CRAMPTON.

No. 84.—*Mr. Abbott Laurence to Visc'. Palmerston.*—(Rec. Dec. 19.)
Legation of The United States,
138, Piccadilly, December 19, 1851.

THE Undersigned, Envoy Extraordinary and Minister Plenipotentiary of The United States of America, is directed by the President of The United States to call the attention of Viscount Palmerston, Her Britannic Majesty's Principal Secretary of State for Foreign Affairs, to an outrage committed on The United States' steam-ship *Prometheus*, belonging to the American Atlantic and Pacific Ship-Canal Company, by the British brig of war *Express*, at San Juan del Norte, in November last.

It appears that the *Prometheus* was under weigh at San Juan, with about 500 passengers, for the purpose of making a voyage to New York, when the city authorities of San Juan boarded her with a police force, and served a process of attachment on the ship and captain for 123 dollars, claimed by those authorities as port dues, which the captain refused to pay. Thereupon the *Express* immediately got under weigh, made sail for the steamer, and when within a quarter of a mile of her fired a round shot over her fore-castle, and a few minutes afterwards another shot over her stern, which passed so near that its force was distinctly felt by several persons on board. The captain of the steamer then sent a boat on board the brig to

inquire the cause of the firing. The commander of the brig replied that it was to protect the authorities of Greytown in their demands, and that if the steamer did not immediately anchor, he would fire a bomb-shell into her, and he ordered his guns to be loaded with grape and canister. The steamer then proceeded to the anchorage and anchored. The brig anchored very near her, and sent a boat on board with orders that the fires should be extinguished, and to say that an officer would be sent to see that this was done. The authorities then came on board, the amount demanded was paid under protest, and the steamer was permitted to proceed to sea. It further appears that the captain of the *Express* acted under the authority and by order of a Mr. Green, who claims to be the British Consul at San Juan.

The Government of The United States has learned of these proceedings with deep surprise and regret. It cannot consent to the collection of port charges at San Juan by British ships of war, or that their collection should be enforced by them. The President, immediately on receiving intelligence of these events, gave orders for the despatch of an armed vessel to San Juan. He has also caused the Undersigned to be instructed to inquire of Viscount Palmerston whether the captain of the *Express* acted pursuant to orders from Her Majesty's Government, and whether his course is approved?

The Undersigned is also directed to state that, if these questions shall be answered in the affirmative, the President will consider the proceedings as a violation of the Treaty of 19th April, 1850, by which Great Britain has stipulated not to make use of any protection which she may afford Nicaragua, the Mosquito Coast, or any part of Central America, for the purpose of assuming or exercising dominion over the same. The Undersigned, &c.

Viscount Palmerston, G.C.B.

ABBOTT LAURENCE.

(Inclosure.)—Captain Churchill to the Editors of the "*New York Express*."

GENTLEMEN,

San Juan, November 21, 1851.

IN order to correct any misstatements that may be made of the circumstances of the English brig of war *Express* firing into the *Prometheus*, I beg you to give the following statement an insertion in your paper:—

At 2 P.M. I went to my ship, under weigh to proceed to sea, having just received the last of our passengers from the *Pacific* steamer, including in all about 500. At this moment the city authorities of Greytown, constituted, as they stated, by the authority of the Mosquito King, came on board of the ship with a police force, and served a process of attachment on the ship and myself,

for the amount of 123 dollars, claimed by the authorities for present and arrearage port dues, charged the ship, which we supposed to be illegally demanded, and had consequently refused to pay them, as I did in the present instance.

The port dues are made up from the right of the anchorage in the harbour by the captain of the ports, fees, and pilotage. I hove up my anchor and dropped down the harbour with the current, having alongside one of the river steamers, receiving from her the baggage of the passengers. The English brig-of-war laying at a short distance from us immediately got under weigh, made sail for us, and when within a quarter of a mile from us, fired a round shot over the forecastle, not clearing the wheel-house over 10 feet; in a few minutes another shot was fired, which passed over the stern so near that the force of the ball was distinctly felt by several passengers. I sent a boat on board of the brig to inquire the cause of their firing into us. The captain stated it was to protect the authorities of Greytown in their demands, and if we did not immediately anchor he would fire a bombshell into us, and ordered his guns to be loaded with grape and canister shot; at the same time our small steamer left us, and I proceeded under steam back to an anchorage and anchored. The brig stood up the harbour and anchored very near us, sent a boat on board of us with orders that our fires should be put out, and that an officer would be sent on board to see that the fires were extinguished. The authorities then came on board, and, under the circumstances of the case, the amount demanded was paid under protest, and we were permitted to proceed to sea by the captain of the brig.

Respectfully, &c.

HENRY CHURCHILL.

No. 85.—Mr. Crampton to Viscount Palmerston.—(Rec. Dec. 21.)

MY LORD,

Washington, December 7, 1851.

I HAVE the honour to inclose the copy of a letter, with accompanying documents, addressed by the agent of the North American Atlantic and Pacific Ship-Canal Company to The United States' Secretary of State, complaining of an alleged infringement of the rights of the company, and an outrage committed upon the American flag by the Commander of Her Majesty's ship *Express*, in detaining a steamer belonging to the company, and exacting the payment of port-dues at Greytown.

These papers have been communicated to me by Mr. Webster for my information, and without any accompanying representation from The United States' Government, it being intended to make such representation to Her Majesty's Government through the American Mission in London.

No information from Her Majesty's Consul at Greytown, or from any other official source, has reached me in regard to this matter.

I have, &c.

Viscount Palmerston, G.C.B.

JOHN F. CRAMPTON.

(Inclosure 1.)—*Mr. White to Mr. Webster.*

SIR,

New York, December 2, 1851.

I INCLOSE a resolution which was adopted by the Board of Directors of the Canal Company yesterday, by which I am requested to call your attention to the outrage recently perpetrated on our steam-ship *Prometheus*, at San Juan del Norte, by Her Majesty's sloop of war *Express*.

The circumstances are correctly stated in the letter of Captain Churchill. Of this Mr. Vanderbilt assures me, and he was on board the *Prometheus* at the time.

The Captain of the *Express* acted under the authority and by the orders of Mr. Green, the English Vice-Consul at San Juan.

This Mr. Green is a British subject, a British official, and, by British appointment, the Regent, during the minority of the so-called "Mosquito King." He appoints all the officers at San Juan: and has, ever since the making of the Treaty of the 19th of April, 1850, and still does, exercise "dominion over the Mosquito Coast," by virtue of his office, and in obedience, as he declares, to instructions from the British Government.

That his "occupancy" of San Juan, and that of his subordinates, has been and still continues to be a distinct violation of the Treaty, I need not argue; and the continued exercise of "dominion" by him as a British agent, acting under British authority, is a still more flagrant violation of it.

Is it too much to hope that satisfaction will be at once demanded for this unprovoked attack, and insisted on, as a violation of solemn Treaty stipulations; and that Great Britain shall be notified to cease her "occupancy," and the exercise of her "dominion" over the Mosquito coast? (See Treaty, Article I.)

The *Prometheus* is our property, and is being used, as such property, to construct the canal. We are transporting by her, workmen, tools, engineers, &c., and are using her for the transportation of passengers and freight, the money to be derived from which service we design to employ in the construction of the canal, which has already been commenced by the acts of survey, location, and the expenditure of large sums of money. (See Treaty, Article III.)

We respectfully ask that a man-of-war be immediately dispatched to San Juan del Norte, with instructions to the Commander thereof to protect our property and the lives of our citizens.

This we think we have the right to ask and expect, in our character as citizens; but especially have we the right under the Treaty in which our Government binds itself to protect our property from unjust detention, confiscation, seizure, or any violence whatsoever.

The 14th of October, 1850, Lord Palmerston instructed Mr. Green, the then Acting Vice-Consul at San Juan, not to interfere in any manner with our vessels; and the 1st of November, 1850, he further instructed the Acting Vice-Consul to make Greytown (San Juan del Norte) a free port.

We cannot, therefore, persuade ourselves that Mr. Green, in giving his order to the Captain of the *Express* to fire into the *Prometheus*, or to detain her by force, acted in pursuance of instructions from his Government. This statement we think due to Lord Palmerston, who has always been disposed, as we well know, to forward our enterprise by all proper means. The insult, however, and the outrage, were given and perpetrated under the British flag, and by the direction of a British official; and to that Government we presume we must look, through the instrumentality of our own, for redress.

The insult to the American flag in its national character, you of course know too well how to resent, without suggestion from us; nor do we at all doubt your prompt action in the matter.

Very respectfully, &c.

D. Webster, Esq.

J. L. WHITE,
Counsel to the Company.

(Inclosure 2.)—Resolution.

New York, December 1, 1851.

At a meeting of the Board of Directors of this Company held this day, the following preamble and resolution were immediately adopted:

Whereas, the rights and privileges of this Company have been invaded and interfered with by the authorities of San Juan del Norte, and by the Commander of Her Britannic Majesty's naval forces in the harbour of that town, inasmuch as their steam-ship *Prometheus* has been fired at and her Commander threatened with further violence, in order, as protectors of His Mosquitian Majesty, to extort payment of port charges which have never previously been enforced, and which are not only in violation of the contract by which this Company exercise their exclusive rights of navigating the San Juan with steam-vessels, and also of the Convention, &c., between The United States and Great Britain, but also endangers the lives of passengers travelling in their vessels; therefore—

Resolved, That the counsel of this Company be requested to prepare an official letter, addressing the same, in their name, to

the Secretary of State, and claiming the interference of this Government.

ISAC C. LEA, *Secretary,*
American Atlantic-Pacific Ship-Canal Company.

(Inclosure 3.)—*Captain Churchill to the Editors of the "New York Express," November 21, 1851.*

[See Page 1082.]

No. 86.—*Mr. Crampton to Viscount Palmerston.*—(Rec. Dec. 29.)
(Extract.) *Washington, December 15, 1851.*

WITH reference to my despatch of the 7th instant, I have the honour to inclose an extract from a newspaper containing the copy of a resolution moved in the Senate by General Cass, and agreed to, requesting the President to furnish the Senate with information regarding an alleged outrage on The United States' flag, by the firing into and seizure of the American steamer *Prometheus* by a British vessel of war.

I have been informed by W. George Law, owner and contractor of The United States' mail line of steamers from New York to Chagres, that his vessels have been in the habit of touching at Greytown, and had always paid the harbour dues which have now been resisted by the *Prometheus*, but which appeared to Mr. Law to be just and moderate, having been established by the municipal authorities of the place to cover considerable expenses incurred by them in buoing out and otherwise improving the harbour.

Viscount Palmerston, G.C.B.

JOHN F. CRAMPTON.

(Inclosure.)—*Resolution.*

"Resolved,—THAT the President of The United States be requested to communicate to the Senate, if not inconsistent with the public interest, any information the Executive may have received respecting the firing into and seizure of the American steam-ship *Prometheus*, by a British vessel of war, in November last, near Greytown, on the Mosquito coast; and also what measures have been taken by the Executive to ascertain the state of the fact, and to vindicate the honour of the country."

No. 87.—*Earl Granville to Mr. Abbott Laurence.*

Foreign Office, December 30, 1851.

THE Undersigned, &c., has the honour to acknowledge the receipt of the note which Mr. Laurence addressed to Viscount Palmerston on the 19th instant, complaining of the proceedings of the Captain of Her Majesty's brig-of-war *Express* on the occasion

of the Captain of the American Atlantic and Pacific Ship-Canal Company's vessel *Prometheus* refusing to pay certain harbour dues at the port of Greytown, Mosquito.

The Undersigned begs, in reply, to state that, in conformity with the advice which Her Majesty's Government gave to the Government of Mosquito when the Treaty of Washington of the 19th of April, 1850, was concluded between Great Britain and The United States, the Mosquito Government decided that the vessels and goods of all nations should without distinction be, from the 1st of January, 1851, exempt from the payment of all duties whatever at the port of Greytown. But the Town Council of the place, in order to raise a small revenue to provide for some few unavoidable expenses, resolved at one of their meetings that certain taxes and dues should be levied to supply in some measure the place of the revenue which would have been obtained if the customs' tariff had not been abolished.

This Council, which is composed of 2 Englishmen, 2 citizens of The United States, a Frenchman, and a native of Greytown, a highly intelligent merchant, accordingly passed a resolution by which certain small harbour dues, amounting on the whole to about 11 dollars on each vessel, were imposed on shipping frequenting the port of Greytown. Mr. Laurence will see, therefore, the above-mentioned harbour dues were not imposed by the advice of Her Majesty's Government:

With regard to the enforcement of those dues, the Undersigned begs to assure Mr. Laurence that the Captain of the *Express* did not act on the occasion in question in consequence of any orders from Her Majesty's Government; and as far as Her Majesty's Government are at present informed, no report upon the subject having yet been received from Greytown, the Captain of the *Express* appears to have exceeded his proper authority.

Her Majesty's Government may expect very shortly to receive, direct from the officers concerned, accounts of the transaction which forms the subject of Mr. Laurence's note, and Mr. Laurence shall thereupon receive a further communication. Mr. Laurence may in the meanwhile rest assured that it is far from the intention of Her Majesty's Government to authorize any proceeding at variance with the stipulations of the Treaty of Washington of the 19th of April, 1850, and that they most deeply regret any transaction which can be considered as an affront offered by any British officer or authority to The United States' flag.

The Undersigned, &c.

A. Laurence, Esq.

GRANVILLE.

*CONVENTION of Claims between The United States and Portugal.—Signed at Washington, February 26, 1851.**

[Ratifications exchanged at Lisbon, June 23, 1851.]

THE United States of America and Her Most Faithful Majesty the Queen of Portugal and of the Algarves, equally animated with the desire to maintain the relations of harmony and amity which have always existed, and which it is desirable to preserve between the 2 Powers, have agreed to terminate, by a Convention, the pending questions between their respective Governments, in relation to certain pecuniary claims of American citizens presented by the Government of The United States against the Government of Portugal, have appointed as their Plenipotentiaries, for that purpose, to wit:

The President of the United States of America, Daniel Webster, Secretary of State of said United States; and

Her Most Faithful Majesty, J. C. de Figanière é Morao, of Her Council, Knight Commander of the Orders of Christ, and of O. L. of Conception of Villa Viçosa, and Minister Resident of Portugal near the Government of The United States:

Who, after having exchanged their respective full powers, found to be in due and proper form, have agreed upon and concluded the following Articles:

ART. I. Her Most Faithful Majesty the Queen of Portugal and of the Algarves, appreciating the difficulty of the 2 Governments' agreeing upon the subject of said claims, from the difference of opinion entertained by them respectively, which difficulty might hazard the continuance of the good understanding now prevailing between them, and resolved to maintain the same unimpaired, has assented to pay to the Government of The United States a sum equivalent to the indemnities claimed for several American citizens (with the exception of that mentioned in the IVth Article,) and which sum the Government of The United States undertakes to receive in full satisfaction of said claims, except as aforesaid, and to distribute the same among the claimants.

II. The High Contracting Parties, not being able to come to an agreement upon the question of public law involved in the case of the American privateer brig *General Armstrong*, destroyed by British vessels in the waters of the Island of Fayal, in September, 1814, Her Most Faithful Majesty has proposed, and the United States of

* Signed in the English and Portuguese languages.

America have consented, that the claim presented by the American Government, in behalf of the captain, officers, and crew of the said privateer should be submitted to the arbitrament of a sovereign, potentate, or chief of some nation in amity with both the High Contracting Parties.

III. So soon as the consent of the sovereign, potentate, or chief of some friendly nation, who shall be chosen by the 2 High Contracting Parties, shall have been obtained to act as arbiter in the aforesaid case of the privateer brig *General Armstrong*, copies of all correspondence which has passed in reference to said claim between the 2 Governments and their respective representatives, shall be laid before the arbiter, to whose decision the 2 High Contracting Parties hereby bind themselves to submit.

IV. The pecuniary indemnities which Her Most Faithful Majesty promises to pay, or cause to be paid, for all the claims presented previous to the 6th day of July, 1850, in behalf of American citizens, by the Government of The United States (with the exception of that of the *General Armstrong*,) are fixed at 91,727 dollars, in accordance with the correspondence between the 2 Governments.

V. The payment of the sum stipulated in the preceding Article shall be made in Lisbon, in 10 equal instalments, in the course of 5 years, to the properly authorized agent of The United States. The first instalment of 9,172 dollars 70 cents, with interest as hereinafter provided, (or its equivalent in Portuguese current money,) shall be paid, as aforesaid, on the 30th day of September of the current year of 1851, or earlier, at the option of the Portuguese Government; and at the end of every subsequent 6 months a like instalment shall be paid; the integral sum of 91,727 dollars, or its equivalent, thus to be satisfied on or before the 30th day of September, 1856.

VI. It is hereby agreed that each and all of the said instalments are to bear, and to be paid with an interest of 6 per cent. per annum, from the date of the exchange of the ratifications of the present Convention.

VII. This Convention shall be approved and ratified, and the ratifications shall be exchanged in the city of Lisbon within 4 months after the date hereof, or sooner if possible.

In testimony whereof the respective Plenipotentiaries have signed the same, and affixed thereto the seals of their arms.

Done in the city of Washington, D. C., the 26th day of February, of the year of our Lord 1851.

(L.S.) DANIEL WEBSTER.

(L.S.) J. C. DE FIGANIERE E MORAQ.

*TREATY of Friendship, Commerce, and Navigation, between
The United States and Costa Rica.—Signed at Washington,
July 10, 1851.**

[Ratifications exchanged at Washington, May 26, 1852.]

In the name of the Most Holy Trinity.

COMMERCIAL intercourse having been for some time established between The United States and the Republic of Costa Rica, it seems good for the security as well as the encouragement of such commercial intercourse, and for the maintenance of good understanding between The United States and the said republic, that the relations now subsisting between them should be regularly acknowledged and confirmed by the signature of a Treaty of amity, commerce, and navigation.

For this purpose they have named their respective Plenipotentiaries, that is to say :

The President of The United States, Daniel Webster, Secretary of State ;

And his Excellency the President of the Republic of Costa Rica, Señor Don Felipe Molina, Envoy Extraordinary and Minister Plenipotentiary of that Republic to The United States ;

Who, after having communicated to each other their full powers, found to be in due and proper form, have agreed upon and concluded the following Articles :

ART. I. There shall be perpetual amity between The United States and their citizens on the one part, and the Government of the Republic of Costa Rica and its citizens on the other.

II. There shall be, between all the territories of The United States and the territories of the Republic of Costa Rica a reciprocal freedom of commerce. The subjects and citizens of the 2 countries respectively shall have liberty, freely and securely, to come with their ships and cargoes to all places, ports, and rivers in the territories aforesaid, to which other foreigners are or may be permitted to come ; to enter into the same, and to remain and reside in any part thereof respectively ; also to hire and occupy houses and warehouses for the purposes of their commerce ; and, generally, the merchants and traders of each nation respectively shall enjoy the most complete protection and security for their commerce ; subject always to the laws and statutes of the 2 countries respectively.

In like manner the respective ships of war and post-office packets of the 2 countries shall have liberty, freely and securely, to come to all harbours, rivers, and places to which other foreign ships of war

* Signed in the English and Spanish languages.

and packets are, or may be permitted to come, to enter into the same, to anchor, and to remain there and refit; subject always to the laws and statutes of the 2 countries respectively.

By the right of entering the places, ports, and rivers mentioned in this Article, the privilege of carrying on the coasting trade is not understood; in which trade national vessels only of the country where the trade is carried on are permitted to engage.

III. It being the intention of the 2 High Contracting Parties to bind themselves by the preceding Articles to treat each other on the footing of the most favoured nation, it is hereby agreed between them, that any favour, privilege, or immunity whatever, in matters of commerce and navigation, which either contracting party has actually granted, or may hereafter grant to the subjects or citizens of any other State, shall be extended to the subjects or citizens of the other High Contracting Party gratuitously, if the concession in favour of that other nation shall have been gratuitous; or in return for a compensation as nearly as possible of proportionate value and effect, to be adjusted by mutual agreement, if the concessions shall have been conditional.

IV. No higher nor other duties shall be imposed on the importation into the territories of The United States, of any article being of the growth, produce, or manufacture of the Republic of Costa Rica, and no higher nor other duties shall be imposed on the importation into the territories of the Republic of Costa Rica, of any articles being the growth, produce, or manufacture of the territories of The United States than are or shall be payable on the like articles, being the growth, produce, or manufacture of any other foreign country; nor shall any other or higher duties or charges be imposed in the territories of either of the High Contracting Parties, on the exportation of any articles to the territories of the other, than such as are or may be payable on the exportation of the like articles to any other foreign country; nor shall any prohibition be imposed upon the exportation or importation of any articles the growth, produce, or manufacture of the territories of The United States, or of the Republic of Costa Rica, to or from the said territories of The United States, or to or from the Republic of Costa Rica, which shall not equally extend to all other nations.

V. No higher nor other duties or payments on account of tonnage, of light or harbour dues, of pilotage, of salvage, in case either of damage or shipwreck, or on account of any other local charges, shall be imposed in any of the ports of the Republic of Costa Rica on vessels of The United States, than those payable in the same ports by Costa Rican vessels; nor in any of the ports of The United States on Costa Rican vessels than shall be payable in the same ports on vessels of The United States.

VI. The same duties shall be paid on the importation into the territories of the Republic of Costa Rica, of any article being of the growth, produce, or manufacture of the territories of The United States, whether such importation shall be made in Costa Rican, or in vessels of The United States; and the same duties shall be paid on the importation into the territories of The United States of any article, being the growth, produce, or manufacture of the Republic of Costa Rica, whether such importation shall be made in United States or in Costa Rican vessels.

The same duties shall be paid, and the same bounties and drawbacks allowed, on the exportation to the Republic of Costa Rica, of any articles being the growth, produce, or manufacture of the territories of The United States, whether such exportations shall be made in Costa Rican or in United States vessels; and the same duties shall be paid, and the same bounties and drawbacks allowed on the exportation of any articles, being the growth, produce, or manufacture of the Republic of Costa Rica to the territories of The United States, whether such exportation shall be made in United States or in Costa Rican vessels.

VII. All merchants, commanders of ships, and others, citizens of The United States shall have full liberty, in all the territories of the Republic of Costa Rica, to manage their own affairs themselves, or to commit them to the management of whomsoever they please, as broker, factor, agent, or interpreter; nor shall they be obliged to employ any other persons in those capacities than those employed by Costa Ricans, nor to pay them any other salary or remuneration than such as is paid in like cases by Costa Rican citizens; and absolute freedom shall be allowed in all cases to the buyer and seller to bargain and fix the price of any goods, wares, or merchandize imported into or exported from the Republic of Costa Rica, as they shall see good, observing the laws and established customs of the country. The same privileges shall be enjoyed in the territories of The United States by the citizens of the Republic of Costa Rica under the same conditions.

The citizens of the High Contracting Parties shall reciprocally receive and enjoy full and perfect protection for their persons and property, and shall have free and open access to the courts of justice in the said countries respectively, for the prosecution and defence of their just rights; and they shall be at liberty to employ, in all cases, the advocates, attorneys, or agents of whatever description, whom they may think proper, and they shall enjoy in this respect the same rights and privileges therein as native citizens.

VIII. In whatever relates to the police of the ports, the lading and unlading of ships, the safety of the merchandize, goods, and effects, the succession to personal estates by will or otherwise, and the dis-

posal of personal property of every sort and denomination, by sale, donation, exchange, testament, or in any other manner whatsoever, as also the administration of justice; the citizens of the 2 High Contracting Parties shall reciprocally enjoy the same privileges, liberties, and rights as native citizens, and they shall not be charged in any of these respects with any higher imposts or duties than those which are paid or may be paid by native citizens; submitting, of course, to the local laws and regulations of each country respectively.

If any citizen of either of the 2 High Contracting Parties shall die without will or testament in any of the territories of the other, the Consul-General or Consul of the nation to which the deceased belonged, or the representative of such Consul-General or Consul in his absence, shall have the right to nominate curators to take charge of the property of the deceased, so far as the laws of the country will permit, for the benefit of the lawful heirs and creditors of the deceased, giving proper notice of such nomination to the authorities of the country.

IX. The citizens of The United States residing in the Republic of Costa Rica, and the citizens of the Republic of Costa Rica residing in The United States, shall be exempted from all compulsory military service whatsoever, either by sea or by land, and from all forced loans or military exactions or requisitions, and they shall not be compelled, under any pretext whatsoever, to pay other ordinary charges, requisitions, or taxes greater than those that are paid by native citizens of the Contracting Parties respectively.

X. It shall be free for each of the 2 High Contracting Parties to appoint Consuls for the protection of trade, to reside in any of the territories of the other party; but before any Consul shall act as such, he shall, in the usual form, be approved and admitted by the Government to which he is sent; and either of the High Contracting Parties may except from the residence of Consuls such particular places as they judge fit to be excepted. The Costa Rican diplomatic Agents and Consuls shall enjoy in the territories of The United States whatever privileges, exemptions, and immunities are or shall be granted to agents of the same rank belonging to the most favoured nation; and in like manner the diplomatic Agents and Consuls of The United States in the Costa Rican territories, shall enjoy according to the strictest reciprocity whatever privileges, exemptions, and immunities are or may be granted in the Republic of Costa Rica to the diplomatic Agents and Consuls of the most favoured nation.

XI. For the better security of commerce between the citizens of The United States and the citizens of the Republic of Costa Rica, it is agreed, that if at any time any interruption of friendly inter-

course, or any rupture should unfortunately take place between the 2 High Contracting Parties, the citizens of either of the 2 High Contracting Parties who may be within any of the territories of the other, shall, if residing upon the coast, be allowed 6 months, and if in the interior, a whole year to wind up their accounts and dispose of their property; and a safe conduct shall be given them to embark at the port which they themselves shall select; and even in the event of a rupture, all such citizens of either of the 2 High Contracting Parties who are established in any of the territories of the other, in the exercise of any trade or special employment, shall have the privilege of remaining and of continuing such trade and employment therein without any manner of interruption, in the full enjoyment of their liberty and property as long as they behave peaceably, and commit no offence against the laws; and their goods and effects, of whatever description they may be, whether in their own custody or intrusted to individuals or to the State, shall not be liable to seizure or sequestration, nor to any other charge or demands than those which may be made upon the like effects or property belonging to the native citizens of the country in which such citizens may reside. In the same case debts between individuals, property in public funds, and shares of companies, shall never be confiscated, sequestered, nor detained.

XII. The citizens of The United States and the citizens of the Republic of Costa Rica respectively, residing in any of the territories of the other party, shall enjoy in their houses, persons, and properties, the protection of the Government, and shall continue in possession of the guarantees which they now enjoy. They shall not be disturbed, molested, or annoyed in any manner on account of their religious belief, nor in the proper exercise of their religion, either within their own private houses or in the places of worship destined for that purpose, agreeably to the system of tolerance established in the territories of the 2 High Contracting Parties; provided they respect the religion of the nation in which they reside, as well as the Constitution, laws, and customs of the country. Liberty shall also be granted to bury the citizens of either of the 2 High Contracting Parties who may die in the territories aforesaid, in burial places of their own, which in the same manner may be freely established and maintained; nor shall the funerals or sepulchres of the dead be disturbed in any way or upon any account.

XIII. In order that the 2 High Contracting Parties may have the opportunity of hereafter treating and agreeing upon such other arrangements as may tend still further to the improvement of their mutual intercourse, and to the advancement of the interests of their respective citizens, it is agreed that at any time after the expiration

of 7 years from the date of the exchange of the ratifications of the present Treaty, either of the High Contracting Parties shall have the right of giving to the other party notice of its intention to terminate Articles IV, V, and VI of the present Treaty; and that at the expiration of 12 months after such notice shall have been received by either party from the other, the said Articles, and all the stipulations contained therein, shall cease to be binding on the 2 High Contracting Parties.

XIV. The present Treaty shall be ratified, and the ratifications shall be exchanged at Washington or at San José de Costa Rica within the space of one year, or sooner if possible.

In witness whereof, the respective Plenipotentiaries have signed the same and have affixed thereto their respective seals.

Done at Washington, this 10th day of July, in the year of our Lord 1851.

(L.S.) F. MOLINA.

(L.S.) DANIEL WEBSTER.

*TREATY of Friendship, Commerce and Navigation, between The United States and Peru.—Signed at Lima, July 26, 1851.**

[Ratifications exchanged at Washington, July 16, 1852.]

THE United States of America and the Republic of Peru, being equally animated with the desire to render firm and permanent the peace and friendship which have always so happily subsisted between them, and to place their commercial relations upon the most liberal basis, have resolved to fix clear and precise rules which shall in future be religiously observed between the 2 nations by means of a Treaty of Friendship, Commerce, and Navigation.

To attain this desirable object the President of the United States of America has conferred full powers on John Randolph Clay, the accredited Chargé d'Affaires of the said States, to the Government of Peru, and the President of the Republic of Peru has conferred like full powers on Brigadier-General Don Juan Crisostomo Torrico, Minister of War and the Marine, Minister of Foreign Affairs, *ad interim*, &c., who, after exchanging their respective full powers, found to be in good and due form, have agreed upon and concluded the following Articles:

ART. I. There shall be perfect and perpetual peace and friendship between the United States of America and the Republic of Peru,

* Signed in the English and Spanish languages.

and between their respective territories, people, and citizens, without distinction of persons or places.

II. The United States of America, and the Republic of Peru, mutually agree that there shall be reciprocal liberty of commerce and navigation between their respective territories and citizens; the citizens of either Republic may frequent with their vessels, all the coasts, ports, and places of the other, whatever foreign commerce is permitted, and reside in all parts of the territories of either, and occupy dwellings and warehouses; and everything belonging thereto shall be respected, and shall not be subjected to any arbitrary visits or search.

The said citizens shall have full liberty to trade in all parts of the territories of either, according to the rules established by the respective regulations of commerce, in all kinds of goods, merchandize, manufactures, and produce not prohibited to all, and to open retail stores and shops, under the same municipal and police regulations as native citizens; and they shall not in this respect be liable to any other or higher taxes or imposts than those which are or may be paid by native citizens. No examination or inspection of their books, papers, or accounts shall be made without the legal order of a competent tribunal or judge.

The citizens of either country shall also have the unrestrained right to travel in any part of the possessions of the other, and shall in all cases enjoy the same security and protection as the natives of the country wherein they reside, on condition of their submitting to the laws and ordinances there prevailing; they shall not be called upon for any forced loan or occasional contribution, nor shall they be liable to any embargo, or to be detained with their vessels, cargoes, merchandize, goods, or effects, for any military expedition, or for any public purpose whatsoever, without being allowed therefor a full and sufficient indemnification, which shall in all cases be agreed upon and paid in advance.

III. The 2 High Contracting Parties hereby bind and engage themselves not to grant any favour, privilege, or immunity whatever, in matters of commerce and navigation, to other nations, which shall not be also immediately extended to the citizens of the other Contracting Party, who shall enjoy the same gratuitously, if the concession shall have been gratuitous, or on giving a compensation as nearly as possible of proportionate value and effect, to be adjusted by mutual agreement, if the concession shall have been conditional.

IV. No higher or other duties or charges on account of tonnage, lighthouses, or harbour dues, pilotage, quarantine, salvage in case of damage or shipwreck, or any other local charges, shall be imposed in any ports of Peru on vessels of The United States, of the burden of 200 tons and upwards, than those payable in the same ports by

Peruvian vessels of the same burden ; nor in any of the ports of The United States by Peruvian vessels of the burden of 200 tons and upwards, than shall be payable in the same ports by vessels of The United States of the same burden.

V. All kinds of merchandize and articles of commerce which may be lawfully imported into the ports and territories of either of the High Contracting Parties in national vessels, may also be so imported in vessels of the other party, without paying other or higher duties and charges of any kind or denomination whatever than if the same merchandize and articles of commerce were imported in national vessels ; nor shall any distinction be made in the manner of making payment of the said duties or charges.

It is expressly understood that the stipulations in this and the preceding Article are to their full extent applicable to the vessels and their cargoes belonging to either of the High Contracting Parties arriving in the ports and territories of the other, whether the said vessels have cleared directly from the ports of the country to which they appertain, or from the ports of any other nation.

VI. No higher or other duties or charges shall be imposed or levied upon the importation into the ports and territories of either of the High Contracting Parties of any article the produce, growth, or manufacture of the other party, than are or shall be payable on the like article being the produce, growth, or manufacture of any other country ; nor shall any prohibition be imposed upon the importation of any article the produce, growth, or manufacture of either party into the ports or territories of the other, which shall not equally extend to all other nations.

VII. All kinds of merchandize and articles of commerce which may be lawfully exported from the ports and territories of either of the High Contracting Parties in national vessels, may also be exported in vessels of the other party ; and they shall be subject to the same duties only, and be entitled to the same drawbacks, bounties, and allowances, whether the same merchandize and articles of commerce be exported in vessels of the one party or in vessels of the other party.

VIII. No changes or alterations in the tariffs of either of the High Contracting Parties, augmenting the duties payable upon merchandize or articles of commerce of any sort or kind imported into, or exported from, their respective ports, shall be held to apply to the commerce or navigation of either party, until the expiration of 8 calendar months after the said changes or alterations shall have been promulgated and become a law, unless the law or decree by which such changes or alterations shall be made contain a prospective provision to the same or similar effect.

IX. It is hereby declared that the stipulations of the present

Treaty are not to be understood as applying to the navigation and coasting trade between one port and another situated in the territories of either contracting party—the regulation of such navigation and trade being reserved, respectively, by the parties, according to their own separate laws.

Vessels of either country shall, however, be permitted to discharge part of their cargoes at one port open to foreign commerce in the territories of either of the High Contracting Parties, and to proceed with the remainder of their cargo to any port or ports of the same territories open to foreign commerce, without paying other or higher tonnage dues or port charges in such cases than would be paid by national vessels in like circumstances; and they shall be permitted to load in like manner at different ports in the same voyage outwards.

X. The Republic of Peru, desiring to increase the intercourse along its coasts, by means of steam navigation, hereby engages to accord to any citizen or citizens of The United States who may establish a line of steam-vessels, to navigate regularly between the different ports of entry within the Peruvian territories, the same privileges of taking in and landing freight, entering the by-ports for the purpose of receiving and landing passengers and their baggage, specie, and bullion, carrying the public mails, establishing depôts for coal, erecting the necessary machine and workshops for repairing and refitting the steam-vessels, and all other favours enjoyed by any other association or company whatsoever. It is furthermore understood between the 2 High Contracting Parties, that the steam-vessels of either shall not be subject in the ports of the other party to any duties of tonnage, harbour, or other similar duties whatsoever, than those that are or may be paid by any other association or company.

XI. For the better understanding of the preceding Articles, and taking into consideration the actual state of the commercial marine of Peru, it is stipulated and agreed that every vessel belonging exclusively to a citizen or citizens of the said Republic, and of which the captain is also a citizen of the same, though the construction or the crew is or may be foreign, shall be considered, for all the objects of this Treaty, as a Peruvian vessel.

XII. The whale-ships of The United States shall have access to the port of Tumbez, as well as to the ports of entry in Peru, and may sail from one port to another for the purposes of refreshment and refitting, and they shall be permitted to sell or barter their supplies or goods, including oil, to the amount of 200 dollars, *ad valorem*, for each vessel, without paying any tonnage or harbour dues, or any duties or imposts upon the articles so sold or bartered. They shall be also permitted, with like exemption from tonnage and harbour

dues, further to sell or barter their supplies or goods, including oil, to the additional amount of 1,000 dollars, *ad valorem*, for each vessel, upon paying for the said additional articles the same duties as are payable upon like supplies, or goods and oil, when imported in the vessels and by the citizens or subjects of the most favoured nation.

XIII. The merchants, commanders, or masters of vessels, and other citizens of either Contracting Party, shall be wholly free to manage their own business and affairs, in all the ports and places within the jurisdiction of the other, or to commit their business and affairs to the management of any person whom they may choose to appoint, as agent, factor, consignee, or interpreter. They shall not be restrained in the choice of persons to act in such capacities, or be compelled to pay any salary or remuneration to any one whom they do not wish to employ. Absolute freedom shall be given, as well with respect to the consignment and sale of their merchandize and articles of commerce, as to the purchase of their returns, unloading, loading, and sending off their vessels. The buyer and seller shall have full liberty to bargain together and fix the price of any merchandize, or articles of commerce, imported into, or to be exported from the territories of either Contracting Party, the regulations of commerce established in the respective countries being in every case duly observed.

XIV. Peruvian citizens shall enjoy the same privileges, in frequenting the mines, and in digging or working for gold upon the public lands situated in the State of California, as are, or may be hereafter, accorded by the United States of America to the citizens or subjects of the most favoured nation.

XV. The citizens of either of the High Contracting Parties shall have the full power and liberty to dispose of their personal property and effects, of every kind and description, within the jurisdiction of the other, by sale, donation, testament, or otherwise, and their heirs or representatives, being citizens of the other party, shall succeed to their said personal property and effects, whether by testament or *ab intestato*, and they may take possession of the same themselves or by others acting for them, and dispose of the same at their pleasure, paying such dues only as the inhabitants of the country wherein said effects may be shall be subject to pay in like cases. Should the property consist of real estate, and the heirs, on account of their character as aliens, be prevented from entering into possession of the inheritance, they shall be allowed the term of 3 years to dispose of the same and withdraw and export the proceeds, which they may do without any hindrance, and without paying any other dues or charges than those which are established by the laws of the country.

XVI. If any vessel belonging to the citizens of either of the High Contracting Parties should be wrecked, suffer damage, or be left derelict, on or near the coasts, within the territories of the other, all assistance and protection shall be given to such vessel and her crew; and the vessel, or any part thereof, and all furniture and appurtenances belonging thereto, together with all the merchandize which shall be saved therefrom, or the produce thereof, if sold, shall be faithfully restored to the owners, or their agents, they paying only the expenses incurred in the preservation of the property, together with the rate of salvage which would have been payable, in the like case, by national vessels; and it shall be permitted for them to unload the merchandize and effects on board, with the proper precautions to prevent their illicit introduction, without exacting in such case any duty, impost, or contribution whatever, provided the same be exported.

XVII. When through stress of weather, want of water or provisions, pursuit of enemies or pirates, the vessels of one of the High Contracting Parties, whether of war (public or private) or of trade, or employed in fishing, shall be forced to seek shelter in the ports, rivers, bays, and dominions of the other, they shall be received and treated with humanity; sufficient time shall be allowed for the completion of repairs; and while any vessel may be undergoing them, its cargo shall not unnecessarily be required to be landed either in whole or in part; all assistance and protection shall be given to enable the vessels to procure supplies, and to place them in a condition to pursue their voyage without obstacle or hindrance.

XVIII. All vessels, merchandize, and effects, belonging to the citizens of either of the High Contracting Parties, which may be captured by pirates, either on the high seas or within the limits of its jurisdiction, and may be carried into or found in the rivers, roads, bays, ports, or dominions of the other, shall be delivered up to the owners or their agents, they proving, in due and proper form, their rights before the competent tribunals; it being understood that the claim thereto shall be made within 2 years, by the owners themselves, their agents, or the agents of the respective Governments.

XIX. The High Contracting Parties promise and engage to give full and perfect protection to the persons and property of the citizens of each other, of all classes and occupations, who may be dwelling or transient in the territories subject to their respective jurisdiction; they shall have free and open access to the tribunals of justice for their judicial recourse, on the same terms as are usual and customary with the natives or citizens of the country in which they may be; and they shall be at liberty to employ, in all causes, the advocates, attorneys, notaries, or agents, of whatever description, whom they may think proper. The said citizens shall not be liable to imprison-

ment without formal commitment under a warrant signed by a legal authority, except in cases *flagrantis delicti*; and they shall in all cases be brought before a magistrate, or other legal authority, for examination, within 24 hours after arrest; and if not so examined the accused shall forthwith be discharged from custody. Said citizens, when detained in prison, shall be treated during their imprisonment with humanity, and no unnecessary severity shall be exercised towards them.

XX. It is likewise agreed that perfect and entire liberty of conscience shall be enjoyed by the citizens of both the Contracting Parties in the countries subject to the jurisdiction of the one or the other, without their being liable to be disturbed or molested on account of their religious belief, so long as they respect the laws and established usages of the country. Moreover, the bodies of the citizens of one of the Contracting Parties, who may die in the territories of the other, shall be buried in the usual burying grounds, or in other decent and suitable places, and shall be protected from violation or disturbance.

XXI. The citizens of the United States of America and of the Republic of Peru may sail with their vessels, with entire freedom and security, from any port to the ports or places of those who now are, or hereafter shall be, enemies of either of the Contracting Parties, whoever may be the owners of the merchandize laden in the said vessels. The same citizens shall also be allowed to sail with their vessels, and to carry and traffic with their merchandize from the ports and places of the enemies of both parties, or of one of them, without any hindrance, not only to neutral ports and places, but also from one port belonging to an enemy to another enemy's port, whether they be under the jurisdiction of one power or under several. And it is agreed that free ships shall give freedom to goods, and that everything shall be deemed free which shall be found on board the vessels belonging to the citizens of either of the Contracting Parties, although the whole lading or a part thereof, should belong to the enemies of either, articles contraband of war being always excepted. The same liberty shall be extended to persons who may be on board free ships, so that said persons cannot be taken out of them, even if they may be enemies of both parties, or of one of them, unless they are officers or soldiers in the actual service of the enemy. It is agreed that the stipulations in this Article, declaring that the flag shall cover the property shall be understood as applying to those nations only who recognize this principle; but if either of the Contracting Parties shall be at war with a third, and the other shall remain neutral, the flag of the neutral shall cover the property of enemies whose Governments acknowledge this principle, and not that of others.

XXII. When the neutral flag of one of the Contracting Parties shall protect the property of the enemies of the other, in virtue of the preceding Article, neutral property found on board enemies' vessels shall likewise be considered as enemies' property, and shall be subject to detention and confiscation, unless it shall have been put on board before the declaration of war, or even afterwards, if it were done without knowledge of such declaration; but the Contracting Parties agree that ignorance cannot be alleged after the lapse of 6 months from the declaration of war. On the contrary, in those cases where the flag of the neutral does not protect enemies' property which may be found on board, the goods or merchandize of the neutral embarked in enemies' vessels shall be free.

XXIII. The liberty of commerce and navigation stipulated for in the preceding Articles shall extend to all kinds of merchandize except the articles called contraband of war, under which name shall be comprehended :

1. Cannons, mortars, howitzers, swivels, blunderbusses, muskets, fusees, rifles, carbines, pistols, pikes, swords, sabres, lances, spears, halberds, grenades, bombs, powder, matches, balls, and everything belonging to the use of these arms.

2. Bucklers, helmets, breastplates, coats of mail, accoutrements, and clothes made up in military form, and for military use.

3. Cavalry belts and horses, with their harness.

4. And generally, all offensive or defensive arms made of iron, steel, brass, copper, or of any other material prepared and formed to make war by land or at sea.

XXIV. All other merchandize and things not comprehended in the articles of contraband explicitly enumerated and classified as above shall be held and considered as free and subjects of free and lawful commerce, so that they may be carried and transported in the freest manner by both the Contracting Parties even to places belonging to an enemy, excepting only those places which are at that time besieged or blockaded; and to avoid all doubt in this particular, it is declared that those places only shall be considered as besieged or blockaded which are actually invested or attacked by a force capable of preventing the entry of the neutral.

XXV. The articles of contraband, or those before enumerated and classified, which may be found in a vessel bound for an enemy's port, shall be subject to detention and confiscation; but the rest of the cargo and the ship shall be left free, that the owners may dispose of them as they see proper. No vessel of either of the Contracting Parties shall be detained on the high seas on account of having on board articles of contraband, whenever the master, captain, or supercargo of said vessel will deliver up the articles of contraband to the captor, unless, indeed, the quantity of such articles be so great, or

of so large bulk, that they cannot be received on board the capturing vessel without great inconvenience; but in this and all other cases of just detention, the vessel detained shall be sent to the nearest convenient and safe port, for trial and judgment according to law.

XXVI. And whereas it frequently happens that vessels sail for a port or place belonging to an enemy without knowing that the same is besieged, blockaded, or invested, it is agreed that every vessel so circumstanced may be turned away from such port or place, but shall not be detained, nor shall any part of her cargo, if not contraband, be confiscated, unless, after having been warned of such blockade or investment by the commanding officer of a vessel forming part of the blockading forces, she again attempt to enter; but she shall be permitted to go to any other port or place the master or supercargo may think proper. Nor shall any vessel of either party that may have entered into such port or place before the same was actually besieged, blockaded, or invested by the other, be restrained from leaving it with her cargo, nor, if found therein before or after the reduction and surrender, shall such vessel or her cargo be liable to seizure, confiscation, or any demand on the score of redemption or restitution; but the owners thereof shall remain in the undisturbed possession of their property. And if any vessel having thus entered the port before the blockade took place shall take on board a cargo after the blockade be established, and attempt to depart, she may be warned by the blockading forces to return to the blockaded port, and discharge the said cargo; and if, after receiving such warning, the vessel shall persist in going out with the cargo, she shall be liable to the same consequences as in the case of a vessel attempting to enter a blockaded port after having been warned off by the blockading forces.

XXVII. To prevent disorder and irregularity in visiting and examining the vessels and cargoes of both the Contracting Parties on the high seas, they have agreed, mutually, that whenever a vessel of war, public or private, shall meet with a neutral of the other party, the former shall remain at the greatest distance compatible with the possibility and safety of making the visit, under the circumstances of wind and sea and the degree of suspicion attending the vessel to be visited, and shall send one of her small boats with no more men than may be necessary to execute the said examination of the papers concerning the ownership and cargo of the vessel, without causing the least extortion, violence, or ill-treatment, in respect of which the commanders of said armed vessels shall be responsible with their persons and property; for which purpose the commanders of said private armed vessels shall, before receiving their commissions, give sufficient security to answer for all the injuries and damages they may commit. And it is expressly agreed that the neutral party

shall in no case be required to go on board of the examining vessel for the purpose of exhibiting the ship's papers, nor for any other purpose whatever.

XXVIII. Both Contracting Parties likewise agree that when one of them shall be engaged in war, the vessels of the other must be furnished with sea-letters, patents, or passports, in which shall be expressed the name, burden of the vessel, and the name and place of residence of the owner, and master, or captain thereof, in order that it may appear that the vessel really and truly belongs to citizens of the said other party. It is also agreed that such vessels, being laden, besides the said sea-letters, patents, or passports, shall be provided with manifests or certificates, containing the particulars of the cargo and the place where it was taken on board, so that it may be known whether any part of the same consists of contraband or prohibited articles; which certificate shall be made out in the accustomed form by the authorities of the port whence the vessel sailed; without which requisites the vessel may be detained, to be adjudged by the competent tribunals, and may be declared good and legal prize, unless it shall be proved that the said defect or omission was owing to accident, or unless it shall be satisfied or supplied by testimony equivalent in the opinion of the said tribunals, for which purpose there shall be allowed a reasonable length of time to procure and present it.

XXIX. The preceding stipulations relative to the visit and examination of vessels shall apply only to those which sail without convoy; for when said vessels shall be under convoy, the verbal declaration of the commander of the convoy, on his word of honour, that the vessels under his protection belong to the nation whose flag they carry, and, when they are bound to an enemy's port, that they have no contraband goods on board, shall be sufficient.

XXX. It is further agreed that, in all prize cases, the courts specially established for such causes in the country to which the prizes may be conducted shall alone take cognizance of them. And whenever such courts of either party shall pronounce judgment against any vessel, merchandize, or property, claimed by the citizens of the other party, the sentence or decree shall set forth the reasons or motives on which the same shall have been founded; and an authenticated copy of the sentence or decree, and of all the proceedings connected with the case, shall, if demanded, be delivered to the commander or agent of the said vessel, merchandize, or property, without any excuse or delay, upon payment of the established legal fees for the same.

XXXI. Whenever one of the Contracting Parties shall be engaged in war with another nation, no citizen of the other Contracting Party shall accept a commission, or letter of marque, for the purpose of

assisting, or co-operating hostilely with the said enemy against the said party so at war, under pain of being treated as a pirate.

XXXII. If, which is not to be expected, a rupture should at any time take place between the 2 Contracting Nations, and they should engage in war with each other, they have agreed now for then, that the merchants, traders, and other citizens of all occupations of either of the 2 parties, residing in the cities, ports, and dominions of the other, shall have the privilege of remaining and continuing their trade and business therein, and shall be respected and maintained in the full and undisturbed enjoyment of their personal liberty and property, so long as they conduct themselves peaceably and properly, and commit no offence against the laws. And in case their acts should render them justly suspected, and, having thus forfeited this privilege, the respective Governments should think proper to order them to leave the country, the term of 12 months from the publication or intimation of the order therefor shall be allowed them in which to arrange and settle their affairs and remove with their families, effects, and property; to which end the necessary safe conduct shall be given to them, which shall serve as a sufficient protection, until they arrive at the designated port and there embark; but this favour shall not be extended to those who act contrary to the established laws. It is, nevertheless, understood that the respective Governments may order the persons so suspected to remove, forthwith, to such places in the interior as may be designated.

XXXIII. In the event of a war, or of any interruption of friendly intercourse between the High Contracting Parties, the money, private debts, shares in the public funds or in the public or private banks, or any other property whatever, belonging to the citizens of the one party in the territories of the other, shall in no case be sequestrated or confiscated.

XXXIV. The High Contracting Parties, desiring to avoid all inequality in their public communications and official intercourse, agree to grant to their envoys, ministers, chargés d'affaires, and other diplomatic agents, the same favours, privileges, immunities, and exemptions, that those of the most favoured nations do or shall enjoy; it being understood that the favour, privileges, immunities, and exemptions, granted by the one party to the envoys, ministers, chargés d'affaires, or other diplomatic agents of the other party, or to those of any other nation, shall be reciprocally granted and extended to those of both the High Contracting Parties respectively.

XXXV. To protect more effectually the commerce and navigation of their respective citizens, the United States of America and the Republic of Peru agree to admit and receive, mutually, Consuls and Vice-Consuls in all their ports open to foreign commerce, who shall enjoy, within their respective consulate districts, all the rights,

prerogatives, and immunities of the Consuls and Vice-Consuls of the most favoured nation; but to enjoy the rights, prerogatives, and immunities which belong to them, in virtue of their public character, the Consuls and Vice-Consuls shall, before exercising their official functions, exhibit to the Government to which they are accredited their commissions or patents in due form, in order to receive their exequatur; after receiving which they shall be acknowledged, in their official characters, by the authorities, magistrates, and inhabitants of the district in which they reside. The High Contracting Parties, nevertheless, remain at liberty to except those ports and places where the admission and residence of Consuls or Vice-Consuls may not seem convenient, provided that the refusal to admit them shall likewise extend to those of all nations.

XXXVI. The Consuls, Vice-Consuls, their officers, and persons employed in their consulates, shall be exempt from all public service and from all kinds of taxes, imposts, and contributions, except those which they shall lawfully be held to pay on account of their property or commerce, and to which the citizens and other inhabitants of the country in which they reside are subject, they being, in other respects, subject to the laws of the respective countries. The archives and papers of the consulates shall be inviolably respected, and no person, magistrate, or other public authority shall, under any pretext, interfere with, or seize them.

XXXVII. The Consuls and Vice-Consuls shall have power to require the assistance of the public authorities of the country in which they reside, for the arrest, detention, and custody of deserters from the vessels of war or merchant-vessels of their nation; and where the deserters claimed shall belong to a merchant-vessel, the Consuls or Vice-Consuls must address themselves to the competent authority, and demand the deserters in writing, proving, by the ship's roll or other public document, that the individuals claimed are a part of the crew of the vessel from which it is alleged that they have deserted; but should the individuals claimed form a part of the crew of a vessel of war, the word of honour of a commissioned officer attached to the said vessel shall be sufficient to identify the deserters; and when the demand of the Consuls or Vice-Consuls shall, in either case, be so proved, the delivery of the deserters shall not be refused. The said deserters, when arrested, shall be delivered to the Consuls or Vice-Consuls, or, at the request of these, shall be put in the public prisons and maintained at the expense of those who reclaim them, to be delivered to the vessels to which they belong, or sent to others of the same nation; but if the said deserters should not be so delivered or sent within the term of 2 months, to be counted from the day of their arrest, they shall be set at liberty, and shall not be again apprehended for the same cause. The High Contracting Parties agree

that it shall not be lawful for any public authority, or other person within their respective dominions, to harbour or protect such deserters.

XXXVIII. For the purpose of more effectually protecting their commerce and navigation, the 2 contracting parties do hereby agree to form, as soon hereafter as may be mutually convenient, a consular Convention, which shall declare specially the powers and immunities of the Consuls and Vice-Consuls of the respective parties.

XXXIX. Until the conclusion of a consular Convention, the High Contracting Parties agree that, in the absence of the legal heirs or representatives, the Consuls or Vice-Consuls of either party shall be *ex officio* the executors or administrators of the citizens of their nation who may die within their consular jurisdictions, and of their countrymen dying at sea, whose property may be brought within their district. The said Consuls or Vice-Consuls shall call in a justice of the peace, or other local authority, to assist in taking an inventory of the effects and property left by the deceased; after which, the said effects shall remain in the hands of the said Consuls or Vice-Consuls, who shall be authorized to sell immediately such of the effects or property as may be of a perishable nature, and to dispose of the remainder according to the instructions of their respective Governments. And where the deceased has been engaged in commerce or other business, the Consuls or Vice-Consuls shall hold the effects and property so remaining until the expiration of 12 calendar months; during which time the creditors, if any, of the deceased, shall have the right to present their claims or demands against the said effects and property, and all questions arising out of such claims or demands shall be decided by the laws of the country wherein the said citizens may have died. It is understood, nevertheless, that if no claim or demand shall have been made against the effects and property of an individual so deceased, the Consuls or Vice-Consuls, at the expiration of the 12 calendar months, may close the estate and dispose of the effects and property, in accordance with the instructions from their own Governments.

XL. The United States of America and the Republic of Peru, desiring to make as durable as circumstances will permit, the relations established between the 2 parties in virtue of this Treaty of friendship, commerce, and navigation, declare solemnly and agree as follows:

1. The present Treaty shall remain in force for the term of 10 years from the day of the exchange of the ratifications thereof; and, further, until the end of 1 year after either of the High Contracting Parties shall have given notice to the other of its intention to terminate the same; each of them reserving to itself the right of

giving such notice to the other at the end of the said term of 10 years. And it is hereby agreed between the parties that, on the expiration of 1 year after such notice shall have been received by either of them from the other party, as above mentioned, this Treaty shall altogether cease and determine.

2. If any citizen or citizens of either party shall infringe any of the Articles of the Treaty, such citizen or citizens shall be held personally responsible therefor; and the harmony and good understanding between the 2 nations shall not be interrupted thereby; each party engaging in no way to protect the offender or offenders, or to sanction such violation, under pain of rendering itself liable for the consequences thereof.

3. Should unfortunately any of the provisions contained in the present Treaty be violated or infringed in any other manner whatever, it is expressly stipulated and agreed that neither of the Contracting Parties shall order or authorize any act of reprisals, nor declare nor make war against the other, on complaint of injuries or damages resulting therefrom, until the party considering itself aggrieved shall first have presented to the other a statement or representation of such injuries or damages, verified by competent proofs, and demanded redress and satisfaction, and the same shall have been either refused or unreasonably delayed.

4. Nothing contained in this Treaty shall, however, be construed to operate contrary to former and existing public Treaties with other nations or sovereigns.

The present Treaty of friendship, commerce, and navigation, shall be approved and ratified by the President of the United States of America, by and with the advice and consent of the Senate thereof, and by the President of the Republic of Peru, with the authorization of the Congress thereof; and the ratifications shall be exchanged at Washington within 18 months from the date of the signature hereof, or sooner if possible.

In faith whereof, we, the Plenipotentiaries of the United States of America and of the Republic of Peru, have signed and sealed these presents.

Done at the city of Lima, on the 26th day of July, in the year of our Lord, 1851.

(L.S.) J. CMO. TORRICO. (L.S.) J. RANDOLPH CLAY.

TRAITE de Commerce et de Navigation, entre les Pays-Bas, d'une part, et la Prusse, en son nom, et agissant au nom des Etats de l'Association Douanière, d'autre part.—Signé à la Haye, le 31 Décembre, 1851.

[Ratifications échangées à la Haye, le 7 Mai, 1852.]

Sa Majesté le Roi des Pays-Bas, d'une part, et

Sa Majesté le Roi de Prusse, agissant tant en son nom et pour les autres pays et parties de pays souverains, compris dans son système de douanes et d'impôts, savoir : le Grand-Duché de Luxembourg, les enclaves du Grand-Duché de Mecklenbourg-Rossow, Netzeband et Schoenberg, la Principauté de Birkenfeld du Grand-Duché d'Oldenbourg, les Duchés d'Anhalt-Cöthen, d'Anhalt-Dessau et d'Anhalt-Bernbourg, les Principautés de Waldeck et Pyrmont, la Principauté de Lippe et le Grandbailliage de Meisenheim, du Landgraviat de Hesse,—qu'au nom des autres membres de l'Association de Douanes et de Commerce Allemande (Zollverein), savoir :—La Couronne de Bavière, la Couronne de Saxe et la Couronne de Wurtemberg, le Grand-Duché de Bade, l'Electorat de Hesse, le Grand-Duché de Hesse tant pour lui que pour le Bailliage de Hombourg du Landgraviat de Hesse ; les Etats formant l'Association de Douanes et de Commerce de Thuringue, savoir :—Le Grand-Duché de Saxe, les Duchés de Saxe-Meiningen, de Saxe-Altenbourg et de Saxe-Cobourg et Gotha, les Principautés de Schwarzbourg-Rudolstadt et de Schwarzbourg-Sondershausen, de Reuss-Greiz, de Reuss-Schleitz et de Reuss-Lobenstein et Ebersdorf ; le Duché de Brunswick, le Duché de Nassau et la Ville libre de Francfort, d'autre part :

Désirant étendre les relations commerciales entre les Pays-Bas et les Etats du Zollverein, sont convenus d'entrer en négociation, et ont nommé des Plénipotentiaires, a cet effet, savoir :

Sa Majesté le Roi des Pays-Bas : Le Sieur Herman von Somsbeeck, Chevalier, &c., son Ministre des Affaires Etrangères ; le Sieur Pierre Philippe van Bosse, Commandeur, &c., son Ministre des Finances ; et le Sieur Charles Ferdinand Pahud, Chevalier, &c., son Ministre des Colonies :

Et Sa Majesté le Roi de Prusse : Le Comte de Königsmarck, son Conseiller Intime actuel, Grandmaître Héréditaire de la Cour, Chambellan, Chevalier, &c., son Envoyé Extraordinaire et Ministre Plénipotentiaire près Sa Majesté le Roi des Pays Bas :

Lesquels, après avoir échangé leurs pleins-pouvoirs, trouvés en bonne et due forme, sont convenus des Articles suivants :

ART. I. Les navires des Pays-Bas qui entreront sur lest ou

chargés dans les ports du Zollverein, ou qui en sortiront, et réciproquement les navires du Zollverein qui entreront sur lest ou chargés dans les ports Néerlandais, ou qui en sortiront, quel que soit le lieu de leur départ ou de leur destination, ne seront pas assujettis à des droits de tonnage, de balisage, de pavillon, de port, d'ancrage, de pilotage, de remorque, de fanal, d'écluse, de canaux, de quarantaine, de sauvetage, d'entrepôt, ou à d'autres droits ou charges, de quelque nature ou dénomination que ce soit, perçus au nom ou au profit du Gouvernement, de fonctionnaires publics, de communes ou d'établissements quelconques, autres ou plus considérables que ceux qui sont actuellement ou pourront par la suite être imposés aux navires nationaux, à leur entrée et pendant leur séjour dans ces ports, ou à leur sortie.

II. Tous les produits et autres objets de commerce, dont l'importation ou l'exportation pourra légalement avoir lieu dans les Etats des Hautes Parties Contractantes par navires nationaux, pourront également y être importés ou en être exportés par navires appartenant à l'autre partie.

Les marchandises importées dans les ports des Pays-Bas ou du Zollverein par des navires appartenant à l'une ou à l'autre partie, pourront y être destinées à la consommation, au transit ou à la réexportation ou enfin être mises en entrepôt, au gré du propriétaire ou de ses ayants-cause, le tout aux-mêmes conditions et sans être assujetties à des droits de magasinage, de surveillance ou autres de cette nature, plus forts que ceux auxquels sont soumises les marchandises apportées par navires nationaux.

III. Les marchandises de toute espèce, sans distinction d'origine, importées de quelque pays que ce soit, par navires des Pays-Bas dans les ports du Zollverein, ou par navires du Zollverein dans les ports des Pays-Bas, de même les marchandises de toute espèce, sans distinction d'origine, exportées pour quelque destination que ce soit, des ports des Pays-Bas par navires du Zollverein, ou des ports du Zollverein par navires Néerlandais, ne payeront dans les ports respectifs d'autres ni de plus forts droits d'entrée ou de sortie, imposés actuellement ou à imposer à l'avenir, que si l'importation ou l'exportation avait lieu par navires nationaux.

IV. Les exemptions, primes, restitutions de droits ou autres faveurs ou avantages de ce genre, qui sont ou qui pourraient à l'avenir être accordés dans les Etats de l'une des Hautes Parties Contractantes aux navires nationaux ou à leurs cargaisons, soit pour l'entrée, soit pour la sortie ou pour le transit, seront également accordés tant aux navires de l'autre partie qu'à leurs cargaisons, sans égard au pays d'où les navires ou leurs cargaisons viennent, ou pour lequel les navires ou leurs cargaisons sont destinés.

Les dispositions qui précèdent ne dérogent pas à l'exemption du droit de tonnage et d'autres faveurs spéciales de même nature, dont jouissent dans chaque Etat les navires employés à la pêche nationale.

V. En tout ce qui concerne le placement des navires, leur chargement ou déchargement dans les ports, rades, havres et bassins, et généralement pour toutes les formalités et dispositions quelconques, auxquelles peuvent être soumis les navires de commerce, leur équipage et leur chargement, il est convenu qu'il ne sera accordé aux navires nationaux aucun privilège ni aucune faveur, qui ne le soit également à ceux de l'autre partie; la volonté des 2 Hautes Parties Contractantes étant, que sous ce rapport aussi leurs bâtiments soient traités sur le pied d'une parfaite égalité.

VI. Les navires des Pays-Bas entrant dans un des ports du Zollverein et les navires du Zollverein entrant dans un des ports Néerlandais, et qui ne voudraient décharger qu'une partie de leur cargaison, pourront, en se conformant aux lois et règlements des Etats respectifs, conserver à leur bord la partie de leur cargaison qui serait destinée à un autre port, soit du même pays, soit d'un autre, et la réexporter, sans être astreints à payer pour cette partie de la cargaison aucun droit de douane, sauf les frais de surveillance.

VII. Les navires de l'une des Hautes Parties Contractantes entrant en relâche forcée dans l'un des ports de l'autre, n'y payeront, soit pour le navire, soit pour son chargement, que les droits auxquels les nationaux sont assujettis dans le même cas, pourvu que la nécessité de la relâche soit légalement constatée, que ces navires ne fassent aucune opération de commerce, et qu'ils ne séjournent pas dans le port plus longtemps que ne l'exige le motif qui nécessite la relâche. Les déchargements et rechargements motivés par le besoin de réparer les bâtiments, ne seront point considérés comme opérations de commerce.

VIII. En cas d'échouement ou de naufrage d'un navire de l'une des Hautes Parties Contractantes dans les Etats de l'autre, il sera prêté toute aide et assistance au capitaine et à l'équipage, tant pour les personnes que pour le navire et sa cargaison.

Les opérations relatives au sauvetage auront lieu conformément aux lois du pays, et il ne sera payé de frais de sauvetage plus forts que ceux auxquels les nationaux seraient tenus en pareil cas.

Les marchandises sauvées ne seront soumises à aucun droit, à moins qu'elles ne soient livrées à la consommation.

IX. L'intention des Hautes Parties Contractantes étant de n'admettre aucune distinction entre les navires de leurs Etats respectifs, en raison de leur nationalité, en ce qui concerne l'achat de produits ou d'autres objets de commerce importés dans ces navires, il ne sera donné à cet égard, ni directement ni indirectement, ni par

l'une ou l'autre des Hautes Parties Contractantes, ni par aucune compagnie, corporation ou agent, agissant en leur nom ou sous leur autorité, aucune priorité ou préférence aux importations par navires indigènes.

X. Les stipulations qui précèdent (Articles I—IX) s'appliquent également à la navigation maritime, à la navigation fluviale et à la navigation de toutes les voies d'eau navigables, appartenant aux Hautes Parties Contractantes, soit naturelles, soit artificielles, fleuves, rivières, canaux, chenaux ou de quelque autre espèce ou dénomination que ce soit, sans exception aucune et dans quelque direction que ce soit.

L'assimilation des pavillons respectifs avec le pavillon national pour la navigation sur toutes les voies d'eau mentionnés ci-dessus, s'applique expressément au droit de naviguer sur ces voies d'eau, et aux droits ou péages à acquitter par les navires, soit pour cette navigation même, soit dans les ports sur les dites voies d'eau, sans aucun égard à la nature des navires, que ce soient des navires de mer ou de rivière, que les premiers (navires de mer) soient considérés ou non comme des bâtiments du Rhin, conduits par un navigateur à patente, enfin sans égard au pays d'où les navires ou leurs cargaisons viennent, ou pour lequel les navires ou leurs cargaisons soient destinés.

XI. Les sujets de chacune des Hautes Parties Contractantes se conformeront respectivement, en ce qui concerne l'exercice du cabotage, aux lois qui régissent actuellement ou qui pourront régir par la suite cette matière dans chacun des Etats des 2 Hautes Parties Contractantes.

XII. La nationalité des bâtiments sera admise de part et d'autre d'après les lois et règlements particuliers à chaque pays, au moyen de titres et patentes délivrés par les autorités compétentes aux capitaines, patrons, et bateliers.

XIII. Les Consuls respectifs pourront faire arrêter et renvoyer soit à bord, soit dans leur pays, les matelots qui auraient déserté des bâtiments de leur nation dans le pays de l'autre.

A cet effet, ils s'adresseront par écrit aux autorités compétentes et justifieront, par l'exhibition en original ou en copie dûment certifiée du registre du bâtiment ou du rôle d'équipage, ou par d'autres documents officiels, que les individus réclamés faisaient partie dudit équipage. Sur cette demande ainsi justifiée, la remise ne pourra leur être refusée.

Il leur sera donné toute aide pour la recherche et l'arrestation desdits déserteurs, qui seront détenus dans les maisons d'arrêt du pays, à la réquisition et aux frais des Consuls, jusqu'à ce que ces agents aient trouvé une occasion de les faire partir.

Si pourtant cette occasion ne se présentait pas dans un délai de

2 mois, à compter du jour de l'arrestation, les déserteurs seront mis en liberté et ne pourront plus être arrêtés pour la même cause.

Si le déserteur a commis quelque délit, il ne sera mis à la disposition du Consul qu'après que le tribunal qui a droit d'en connaître, ait rendu son jugement et que celui-ci ait eu son effet.

Il est entendu que les marins sujets du pays où la désertion a lieu sont exceptés des dispositions qui précèdent.

XIV. I. Les cargaisons des bâtimens Néerlandais jouiront d'une entière franchise des droits déterminés par le XVI^{me} et le XVII^{me} Article Supplémentaire à la Convention de Mayence du 31 Mars, 1831 :*

a. Pour l'exportation de Prusse, soit à la remonte soit à la descente, de tous les objets indigènes ou bien de ceux qui, ayant acquitté les droits d'entrée, se trouvent en libre circulation ; à la remonte, toutefois, à l'exception des objets d'origine notoirement non-Allemande ;

b. Pour le transport d'objets quelconques d'un port Prussien du Rhin à l'autre ;

c. Pour l'importation, que les droits de douane soient acquittés lors de l'importation à la frontière ou seulement à l'endroit du déchargement, d'objets de provenance étrangère, sur la partie Prussienne du Rhin, destinés pour la consommation, soit qu'ils arrivent sous contrôle administratif d'un des Etats du Zollverein ;

d. Pour le transport d'objets non réputés d'outre-mer, pouvant circuler librement et embarqués, soit dans un endroit Prussien au-dessus de Coblençe, soit dans un des ports du Rhin ou de ses confluents situés dans les Royaumes de Bavière et de Wurtemberg, dans les Grand-Duchés de Bade, de Hesse et de Luxembourg, dans le Duché de Nassau ou dans le territoire de la Ville libre de Francfort, et destinés à l'importation dans un port Prussien du Rhin, ou à transiter sur ce fleuve vers les Pays-Bas ;

e. Pour le transport des marchandises transitant par le territoire du Zollverein et n'empruntant qu'une partie du Rhin Prussien, quand ces marchandises, importées par terre sur la rive droite du Rhin s'exportent par ce fleuve, ou qu'importées par le Rhin, elles sortent par voie de terre sur la rive droite du fleuve.

II. Dans tous les autres cas les cargaisons des bâtimens Néerlandais ne payeront les droits déterminés par le XVI^{me} Article Supplémentaire à la Convention de Mayence du 31 Mars, 1831, que d'après le tarif réduit ci-annexé.

III. Il est bien entendu, toutefois, que les marchandises qui actuellement sont passibles du quart ou du vingtième du droit déterminé par l'Article XVII Supplémentaire à la Convention de Mayence du 31 Mars, 1831, ou qui sont libres de tout droit, jouiront de ces

avantages sur bâtimens Néerlandais ; et on est convenu expressément que le quart et le vingtième s'appliquent également aux cargaisons des bâtimens Néerlandais, pour les marchandises qui viennent d'être ajoutées à la classe imposée au quart, savoir : baies de nerprun, quercitron, saflor, aloés, noix de galle, sumac, bois de teinture en bûches, tartre, et salpêtre ;

Et à la classe imposée au vingtième, savoir : les harengs.

On est convenu en outre que le déclassement du soufre, des chardons-cardières, des garances et de la garancine, qui n'a été admis jusqu'ici que pour la navigation descendante, s'appliquera de même à la navigation remontante.

IV. Les bateliers Néerlandais jouiront de la franchise du droit de reconnaissance, réglé par le Tarif *B* annexé à la Convention de Mayence du 31 Mars, 1831, pour la navigation intérieure entre Coblenze et Emmerich, qui ne dépassera ni l'un ni l'autre de ces bureaux.

XV. Les bateliers Néerlandais qui veulent transiter directement d'Emmerich à Coblenze, ou *vice versa*, auront la faculté de payer d'avance le total des droits à acquitter, savoir à Coblenze s'ils descendent, et à Emmerich s'ils remontent le Rhin.

XVI. Les bâtimens du Zollverein, ainsi que leurs cargaisons, jouiront dans les Pays-Bas de la franchise entière :

1. Des droits déterminés par le XVI^{me} et le XVII^{me} Article Supplémentaire à la Convention de Mayence du 31 Mars, 1831 ;

2. Du droit de reconnaissance réglé par le Tarif *B* annexé à la même Convention ;

3. Du droit fixe établi d'après l'Article IV et l'Annexe *A* de la Convention de Mayence précitée, pour le passage par le territoire des Pays-Bas, depuis Krimpen et Gorcum jusqu'à la pleine mer, et *vice versa*.

4. Du droit fixe, perçu pour le passage entre la Belgique et le Rhin par les eaux dites intermédiaires, indiquées à l'Article II du règlement d'Anvers du 20 Mai, 1843,* savoir : par toutes les voies navigables communiquant de l'Escaut Occidental au Rhin, y compris le Sloe, l'Escaut Oriental et la Meuse ;

5. Du droit de navigation sur la Meuse et l'Yssel ; enfin

6. De tout autre droit ou péage qui existerait actuellement ou qui serait établi à l'avenir, soit sur les eaux auxquelles s'appliquent les droits mentionnés sous les No. 1 à 5 du présent Article, soit sur toutes les autres voies navigables situées sur le territoire des Pays Bas, ainsi que les unes et les autres sont désignées à l'alinéa 1 de l'Article X.

Les bâtimens du Zollverein, ainsi que leurs cargaisons, jouiront de la franchise entière stipulée ci-dessus, quel que soit le lieu de leur

départ, de leur provenance ou de leur destination, et quelle que soit la direction dans laquelle le transport se fasse, dans tous les cas, et nommément :

a. Que les marchandises passent par les Pays-Bas en transit direct, soit qu'elles viennent du Rhin pour entrer en mer ou pour aller en Belgique, soit qu'elles viennent de la mer ou de la Belgique pour aller au Rhin ou dans une autre direction quelconque ;

b. Que les marchandises viennent du Rhin, de la mer ou de la Belgique, pour être déchargées ou transbordées dans les Pays-Bas, et quelle que soit leur destination ultérieure ;

c. Que les marchandises soient chargées dans les Pays-Bas, et qu'elles passent soit à un autre endroit situé dans les Pays-Bas, soit au Rhin, soit à la pleine mer, soit en Belgique.

XVII. Le Gouvernement Néerlandais s'engage à réduire dès-à-présent de 50 pour cent le taux actuel des droits d'éluses et de ponts prélevés actuellement sur les navires qui passent le canal entre Goreum et Vianen, dit Zederik-kanaal.

Le Gouvernement Néerlandais s'engage également à diminuer autant que possible les droits de ponts, d'écluses, de ports, et tous les autres droits et péages, prélevés actuellement sur les navires qui passent par les canaux et rivières de Vreeswyk à Amsterdam, ou *vice versâ*, aussitôt qu'il se sera entendu à cet effet avec les autorités locales qui perçoivent ces droits.

XVIII. Les taxes de pilotage actuellement existantes sur le Rhin Néerlandais, le Waal et le Leck, entre Lobith, Dodrecht et Rotterdam ou bien Amsterdam, seront réduits de 50 pour cent. Il ne sera perçu sur le territoire fluvial Rhénan susmentionné aucun droit de balisage ni de bouée.

XIX. Les navires du Zollverein, sans distinction aucune, auront le droit de choisir telle voie qu'il leur plaira pour traverser les Pays-Bas, du Rhin à la pleine mer, ou *vice versâ*. Nonobstant l'abolition du droit fixe, ils jouiront à leur passage de tous les avantages et de toutes les facilités, soit de douane, soit autres, assurés par la Convention de Mayence du 31 Mars, 1831, aux navires faisant partie de la navigation Rhénane et à leurs cargaisons, transitant du Rhin à la pleine mer, ou *vice versâ*, par les voies désignées à l'Article III de la dite Convention.

De même, les navires et les trains de bois du Zollverein, sans distinction aucune, auront le droit de choisir telle voie qu'il leur plaira pour traverser les Pays-Bas, du Rhin en Belgique, ou *vice versâ*. Nonobstant l'abolition du droit fixe, ils jouiront à leur passage de tous les avantages et de toutes les facilités, soit de douane, soit autres, mentionnés dans le Règlement d'Anvers du 20 Mai, 1843, relatif à la navigation des eaux intermédiaires entre l'Escaut et le Rhin.

XX. Les navires uniquement chargés de houille continueront à jouir, aux conditions actuellement existantes, des facilités qui leur sont accordées par rapport à la faculté de déclarer leurs chargements au premier bureau à l'entrée à Lobith, suivant l'échelle de jaugeage dont ils sont pourvus aux termes de la Convention de Mayence du 31 Mars, 1831.

XXI. Seront exempts du droit de patente, ainsi que de tout autre droit personnel, à raison de leur profession, les bateliers respectifs pour tous les voyages qu'ils feront entre le territoire du Zollverein et celui des Pays-Bas, soit chargés ou sur lest.

En ce qui concerne la navigation à l'intérieur, il a été convenu que les bateliers du Zollverein ne payeront dans les Pays-Bas par année qu'un droit de 20 cents par tonneau d'un mètre cube (sauf 18 cents additionnels), et que les bateliers Néerlandais ne payeront au maximum dans chacun des Etats du Zollverein que le droit de patente existant actuellement dans ces Etats.

Ne sera pas considéré comme navigation à l'intérieur le transport, soit des marchandises que les bateliers apportent du territoire du Zollverein aux Pays-Bas, ou *vice versa*, pour un ou pour différents endroits de l'autre pays situés dans le cours de leur voyage, soit des marchandises que les bateliers retournants exportent d'un ou de différents endroits de l'autre pays situés dans le cours de leur voyage.

Les dispositions qui précèdent s'appliquent également aux bateaux à vapeur.

Il est bien entendu, du reste, que les dispositions qui précèdent s'appliquent, sans exception, à toutes les voies d'eau indiquées à l'alinéa 1 de l'Article X.

XXII. Pour écarter, autant que possible, tout ce qui pourrait entraver le commerce et la navigation du Rhin et des autres voies navigables, les Hautes Parties Contractantes s'appliqueront l'une et l'autre à simplifier à cet égard, autant que faire se pourra, les formalités prescrites par leurs lois et règlements de douane.

Les Hautes Parties Contractantes prennent en outre l'engagement réciproque de faire participer les bâtimens de l'autre pays, ainsi que leurs cargaisons, aux exemptions ou diminutions relatives aux droits de navigation, ainsi qu'à tout autre avantage qu'elles pourraient accorder par la suite aux bâtimens nationaux ou à leurs cargaisons.

XXIII. Dans le but d'éloigner le plus tôt possible les obstacles que l'état des rivières offre à la navigation, et spécialement entre Cologne et Dordrecht et Rotterdam, les Gouvernemens respectifs s'engagent mutuellement, chaque Gouvernement pour la partie du Rhin qui parcourt son territoire, d'en faire rectifier le cours et approfondir le chenal, de manière à assurer, autant que faire se peut,

par travaux d'art, dans toutes les saisons, aux bâtiments chargés un tirant d'eau suffisant.

XXIV. Il y aura pleine et entière liberté de commerce entre les sujets des 2 Hautes Parties Contractantes, en ce sens que les mêmes facilités, sécurité et protection dont jouissent les nationaux, sont garanties des 2 parts. En conséquence, les sujets respectifs ne payeront point à raison de leur commerce ou de leur industrie, dans les ports, villes ou lieux quelconques des 2 Hautes Parties Contractantes, soit qu'ils s'y établissent, soit qu'ils y résident ou séjournent temporairement, des droits, taxes ou impôts autres ou plus élevés que ceux qui se percevront sur les nationaux ; et les privilèges, immunités et autres faveurs dont jouiront en matière de commerce ou d'industrie les sujets de l'une des 2 Hautes Parties Contractantes, seront communs à ceux de l'autre.

Pour ce qui regarde les fabricants et les marchands de l'un des Etats des Hautes Parties Contractantes, ainsi que leurs commis-voyageurs, qui font dans l'autre Etat des achats pour les besoins de leur industrie et y recueillent des commandes avec ou sans échantillons, mais sans colporter des marchandises, on est convenu de ce qui suit :

Les sujets de l'un des Etats du Zollverein qui voyagent dans les Pays-Bas, soit pour leur propre compte, soit pour le compte d'une maison du Zollverein, ne payeront à raison de leur commerce d'autres droits qu'un droit de patente de 12 florins (sauf 28 pour cent additionnels) par année, au maximum.

Par réciprocité, les sujets Néerlandais qui voyagent dans le Zollverein, soit pour leur propre compte, soit pour le compte d'une maison Néerlandaise, ne payeront à raison de leur commerce d'autres droits qu'un droit de patente de 8 thaler par année, au maximum, dans chaque Etat du Zollverein.

Il est toutefois bien entendu que, dans tous les cas où dans l'un ou l'autre des Etats du Zollverein de droit légal de patente actuellement existant pour les sujets Néerlandais est moins de 8 thaler, ce droit ne pourra pas être augmenté.

XXV. Le transit des marchandises venant des Pays-Bas ou y allant, passant par les territoires ci-après désignés du Zollverein, sera soumis, au maximum, à un droit d'un demi silbergros par quintal (Zollzentner) :

a. Pour toutes les marchandises qui entrent par terre sur la frontière entre le Zollverein et les Pays-Bas, et qui de Cologne ou de quelque port du Rhin au-dessous de Cologne sortent du Zollverein sur le Rhin, soit en amont, soit en aval :

b. Pour toutes les marchandises qui entrent sur le Rhin par Emmerich ou Neunbourg, et qui de Cologne ou d'un autre port du

Rhin au-dessous de Cologne sont exportées par terre sur la frontière entre le Zollverein et les Pays-Bas ;

c. Pour toutes les marchandises qui, touchant le territoire du Zollverein, sont expédiées des Pays-Bas pour la Belgique, de la Belgique pour les Pays-Bas, et des Pays-Bas pour les Pays-Bas.

Il est convenu en outre que le transit des marchandises venant des Pays-Bas ou y allant, passant par le territoire du Zollverein, ne sera pas soumis à des conditions plus onéreuses, et ne payera d'autres ni de plus forts droits de transit, que le transit des marchandises venant de Belgique ou y allant, passant par le territoire du Zollverein. Toutefois, il est bien entendu que cette disposition n'est applicable qu'aux-mêmes modes de transport, et qu'en conséquence elle s'appliquera au transit par le chemin de fer à établir entre le Zollverein et les Pays-Bas, aussitôt que ce chemin de fer sera achevé.

Il s'entend, du reste, que dans tous les cas précités il sera perçu des marchandises transportées sur le Rhin, outre le droit de transit, le droit de navigation du Rhin, en tant que la perception de ce droit sera encore permise aux termes de ce Traité.

XXVI. La franchise de tout droit de transit par les Pays-Bas est assurée pour toutes les marchandises ou objets de commerce, sans distinction d'origine, venant des Etats du Zollverein ou y allant, quel que soit le pays de leur provenance ou de leur destination.

Cette disposition s'applique, sans distinction aucune, à toute sorte de voie ou de moyen de transport employé pour le transit par les Pays-Bas.

XXVII. Le Gouvernement Néerlandais s'engage à construire ou à faire construire à Rotterdam, aux bords de la Meuse, un entrepôt franc accessible aux navires, dans l'enceinte duquel les marchandises de toute espèce venant du Zollverein ou y allant, soit qu'elles passent par les Pays-Bas ou qu'elles soient destinées ultérieurement à la consommation intérieure, peuvent être chargées, déchargées, transbordées, provisoirement déposées, emmagasinées ou manipulées, sans être pesées ni examinées en détail, et sans être assujetties à d'autres formalités que celles rigoureusement requises pour la répression de la fraude.

Cet entrepôt franc sera établi aussi près que possible de la station du chemin de fer de Rotterdam à Utrecht, et relié à cette station par une voie ferrée ; il sera exécuté de manière à être au plus tard mis à la disposition du commerce, lorsque le dit chemin de fer sera mis en exploitation.

Il ne sera perçu des droits de magasinage, de quai, de grue, autres ni de plus forts que ceux fixés par Article LXIX de la Convention de Mayence du 31 Mars, 1831.

XXVIII. Les produits de la pêche Néerlandaise et les produits de toute espèce des colonies Néerlandaises, importés dans le Zollverein, que l'importation ait lieu directement desdites colonies ou par l'intermédiaire des ports et places de commerce des Pays-Bas, par mer, sur les fleuves, canaux ou autres eaux intérieures, ou par terre, ne seront assujettis à d'autres ni de plus forts droits que ceux qui sont ou qui seront imposés à l'avenir sur les produits similaires de toute autre nation la plus favorisée. Toute réduction des droits d'entrée du Zollverein sur ces objets, soit générale, soit en faveur d'une autre nation quelconque, s'appliquera à l'instant même, de plein droit et sans équivalent, aux produits similaires des colonies Néerlandaises.

XXIX. Les produits de toute espèce du sol et de l'industrie des Etats du Zollverein, importés dans les Pays-Bas, que l'importation ait lieu par mer, sur les fleuves, canaux ou autres eaux intérieures, ou par terre, ne seront assujettis à d'autres ni de plus forts droits que ceux qui sont ou qui seront imposés à l'avenir sur les produits similaires de toute autre nation la plus favorisée. Toute réduction des droits d'entrée des Pays-Bas sur ces objets, soit générale, soit en faveur d'une autre nation quelconque, s'appliquera à l'instant même, de plein droit et sans équivalent, aux produits similaires du sol et de l'industrie des Etats du Zollverein.

XXX. Les sujets des Etats du Zollverein jouiront dans les colonies Néerlandaises de toutes les faveurs qui sont ou qui seront accordées aux sujets de tout autre Etat Européen le plus favorisé.

XXXI. Les navires du Zollverein, ainsi que leurs cargaisons, seront Traités dans les colonies Néerlandaises sur le même pied que les navires nationaux et leurs cargaisons, sans égard au pays d'où les navires ou leurs cargaisons viennent, ou pour lequel les navires ou leurs cargaisons sont destinés :

1°. Par rapport aux droits pesant sur la coque des navires à leur entrée, pendant leur séjour ou à leur sortie, nommément tous ceux qui sont désignés à l'Article I du présent Traité ;

2°. Par rapport à la faculté d'importer et d'exporter des produits et objets de commerce, conformément à l'Article II du présent Traité.

3°. Par rapport aux droits quelconques, imposés actuellement ou à imposer à l'avenir aux produits et objets de commerce importés ou exportés conformément à l'Article III du présent Traité.

De même, les stipulations contenues dans les Articles IV à IX s'appliqueront au commerce et à la navigation avec les colonies Néerlandaises, ou *vice versâ*.

Le cabotage dans les colonies demeure réservé aux navires Néerlandais.

XXXII. Les produits de toute espèce du sol et de l'industrie des Etats du Zollverein, importés de quelque pays que ce soit dans les colonies Néerlandaises, ne seront assujettis à d'autres ni de plus forts droits que ceux qui sont ou qui seront imposés à l'avenir sur les produits similaires de toute autre nation la plus favorisée.

Toute faveur accordée à cet égard, ainsi que par rapport à l'exportation des produits coloniaux ou autres, soit pour le commerce en général, soit à quelque autre nation en particulier, sera acquise à l'instant même de plein droit et sans équivalent au Zollverein.

Il est fait exception à cette règle, seulement en ce qui concerne les faveurs spéciales, accordées ou à accorder par la suite aux nations Asiatiques pour l'importation des produits de leur sol et de leur industrie ou pour leurs exportations.

En outre, le Gouvernement Néerlandais s'engage :

a. A assimiler dans ses colonies des Indes Occidentales tous les produits du sol et de l'industrie du Zollverein aux produits du sol et de l'industrie des Pays-Bas, quand ils seront importés dans les colonies par navires Néerlandais ou du Zollverein, ou sous tout autre pavillon assimilé au pavillon national ;

b. En ce qui concerne les colonies des Indes Orientales, les produits ci-après énumérés du sol et de l'industrie du Zollverein, transitant par les Pays-Bas, chargés dans un port des Pays-Bas sur un bâtiment Néerlandais ou du Zollverein, ou sous tout autre pavillon assimilé au pavillon national, et importés en droiture d'un port des Pays-Bas dans un port situé aux Indes Orientales Néerlandaises, ne payeront dans ces colonies que les droits fixés par le tarif actuellement en vigueur pour l'importation directe des Pays-Bas de ces objets, savoir :

Bois et marchandises en bois, à l'exception de futailles *ad valorem* 6 pour cent.

Bougies de spermacéti, de composition, &c. le kilogr. 21 cents.

Comestibles, à l'exception de ceux spécialement désignés au tarif *ad valorem* 12 pour cent.

Drogueries et médicaments *ad valorem* 6 pour cent.

Eaux minérales en cruches ou en bouteilles les 100 cr. ou bout 6 fl.

Etoffes en soie, y compris le velours *ad valorem* 6 pour cent.

Matériaux pour la construction et l'armement des navires, à l'exception de cordage et de toile à voiles *ad valorem* 6 pour cent.

Mercerie, y compris la bijouterie fausse et verroterie *ad valorem* 6 pour cent.

Poudre et armes à feu *ad valorem* 6 pour cent.

Quincaillerie (galanterie-waren) *ad valorem* 12 pour cent.

Savon *ad valorem* 6 pour cent.

Tabac, tant en feuilles que préparé .. le kilogr. 8 cents.

Tous les objets non énumérés au tarif

d'importation en vigueur aux Indes Orientales, produits de l'Europe, de l'Amérique ou

du Cap de Bonne Espérance.. .. *ad valorem* 6 pour cent.

Toute réduction ultérieure par rapport à ces objets faite en faveur des provenances des Pays-Bas, sera acquise à l'instant même, de plein droit et sans équivalent, aux produits similaires du sol et de l'industrie du Zollverein, aux mêmes conditions que celles énoncées ci-dessus sous *b*.

XXXIII. Si une des Hautes Parties Contractantes accordait par la suite à quelque autre Etat des faveurs en matière de commerce ou de douane, autres ou plus grandes que celles convenues par le présent Traité, les mêmes faveurs deviendront communes à l'autre partie, qui en jouira gratuitement si la concession est gratuite, ou en donnant un équivalent si la concession est conditionnelle, en quel cas l'équivalent fera l'objet d'une Convention Spéciale entre les Hautes Parties Contractantes.

XXXIV. Il sera loisible à tout Etat de l'Allemagne qui fera partie du Zollverein, d'adhérer au présent Traité.

XXXV. Le présent Traité restera en vigueur jusqu'au 1er Janvier, 1854, et, à moins que 6 mois avant l'expiration de ce terme l'une ou l'autre des Hautes Parties Contractantes n'ait annoncée par une déclaration officielle son intention d'en faire cesser l'effet, le Traité restera en vigueur, à partir du 1er Janvier, 1854, pendant 12 mois après que l'une des Hautes Parties Contractantes aura déclaré à l'autre son intention de ne plus vouloir le maintenir.

XXXVI. Le présent Traité sera immédiatement soumis à la ratification de tous les Gouvernements respectifs, et les ratifications en seront échangées à la Haye, dans l'espace de 3 mois, à compter du jour de la signature, ou plus tôt, si faire se peut. Il sera publié de suite après l'échange des ratifications et immédiatement mis à exécution.

En foi de quoi, les Plénipotentiaires l'ont signé et y ont apposé le cachet de leurs armes.

Fait à la Haye, le 31 Décembre, de l'an de grâce 1851.

(L.S.) VAN SONSBEECK.

(L.S.) VAN BOSSE.

(L.S.) PAHUD.

(L.S.) KONIGSMARCK.

Tarif Spécial des Droits de Navigation du Rhin qui seront perçus sur la distance depuis la Lauter jusqu'à Emmerich, pour les objets transportés sous pavillon de l'un des Etats Riverains Allemands, ou sous pavillon Néerlandais.

A.—Pour toutes marchandises passibles de la totalité du droit

Pour la Distance.		En descendant au bureau.			En montant au bureau de.		
de	à		Cent.	Déc. Mill.		Cent.	Déc. mill.
La Lauter.	Neubourg.	Neubourg.		23	Neubourg.		35
Neubourg.	Mannheim.	Neubourg.	11	76	Mannheim.	17	68
Mannheim.	Mayence	Mannheim.	16	67	Mayence.	17	50
Mayence	Caub.	Mayence.	10		Caub.	10	62
Caub.	Coblence.	Caub.	6	83	Coblence.	8	12
Coblence.	Andernach.	Coblence.	2	23	Andernach.	3	35
Andernach.	Linz.	Andernach.	1	76	Linz.	2	63
Linz.	Cologne.	Linz.	6	02	Cologne.	9	06
Cologne.	Dusseldorf.	Cologne.	5	82	Dusseldorf.	8	75
Dusseldorf.	Ruhrort.	Dusseldorf.	3	76	Ruhrort.	5	65
Ruhrort.	Wesel	Ruhrort.	3	52	Wesel	5	30
Wesel.	à la frontière entre la Prusse et les Pays-Bas près de Schenkenschans.	Wesel	5	37	Emmerich.	8	07

B.—Pour des Marchandises imposées à la totalité du Droit, lorsqu'elles quittent le Rhin pour entrer dans la Lahn.

Caub.	La Lahn.	Caub.	6	8	Coblence.	1	03
La Lahn	Coblence.						

PROTOCOLE.

Les négociations entre les Pays-Bas d'une part, et la Prusse et les autres Etats du Zollverein d'autre part, ayant amené la conclusion d'un Traité de Commerce et de Navigation, les Plénipotentiaires des Hautes Parties Contractantes se sont réunis pour la signature de ce Traité.

En procédant à cet acte, les Plénipotentiaires respectifs ont arrêté les dispositions suivantes, qu'ils ont consignées dans le présent protocole.

§ 1. A L'ART. X. Cette stipulation, en ne faisant aucune exception des voies d'eau navigables dans les Pays-Bas, comprend de même l'Escaut Oriental et Occidental.

§ 2. A L'ART. XI. Le cabotage maritime dans les Pays-Bas, étant ouvert à la navigation sous pavillon étranger aux-mêmes conditions qu'au pavillon national, les navires du Zollverein conserveront le droit d'exercer le cabotage dans toute l'étendue du Royaume des Pays-Bas sous les mêmes conditions. Tous les ports praticables pour des navires de mer leur seront ouverts à cet effet, soit qu'ils y parviennent immédiatement par mer, ou par d'autres voies d'eau quelconques.

§ 3. A L'ART. XIV. Les dispositions sub I a—c servent à as-

similer le pavillon Néerlandais au pavillon Prussien sur la partie Prussienne du Rhin ; il sera communiqué la liste des objets d'origine notoirement non-Allemande ; ils payeront le même droit qu'ils soient transportés par navires Prussiens ou Néerlandais.

Il s'entend en outre que les avantages que les Etats riverains Allemands, autres que la Prusse, accordent actuellement aux navires Néerlandais et à leurs cargaisons, sont maintenus.

Le Gouvernement Néerlandais exprime l'espoir que les Etats du Zollverein continueront leurs efforts pour l'abolition entière des droits de navigation du Rhin, afin que le commerce et la navigation Rhénane jouissent également de la franchise totale sur toute la partie Allemande du fleuve.

§ 4. L'ART. XVI. Il est bien entendu que par cette stipulation il n'est pas dérogé à celle renfermée dans le paragraphe 3, de l'Article IX, du Traité de Londres du 19 Avril, 1839,* pour les navires du Zollverein qui se rendent par l'Escaut Occidental de la Belgique à la pleine mer, et *vice versâ*. Il s'entend de même que cette stipulation ne s'applique pas aux droits, de tonnage maritime, de pilotage, de fanaux, balises et bouées, de canaux, écluses et ponts, en autant que ces droits existent également pour les bâtiments Néerlandais, et en autant qu'ils ne sont pas réduits ou abolis par le présent Traité. Une augmentation ne pourra avoir lieu, et chaque réduction s'appliquera de plein droit aux navires du Zollverein.

§ 5. A L'ART. XVIII. La disposition faite par cet Article dans le but de dégrever le commerce et la navigation du Rhin, ne déroge en rien aux principes énoncés ailleurs de part et d'autre, par rapport à l'abolition de l'obligation de prendre et de payer des pilotes.

§ 6. A L'ART. XIX. Il s'entend que les avantages mentionnés à l'alinéa 1 de cet Article, ne s'appliquent pas aux règlements de police ni à la juridiction exceptionnelle, établis par la Convention de Mayence, quand les navires auront quitté le territoire fluvial Rhénan des Pays-Bas. Quant à l'alinéa 2, on s'est référé au règlement d'Anvers du 20 Mai, 1843,† pour ne pas devoir citer spécialement toutes les facilités mentionnées dans ce règlement.

Il s'entend que ces facilités sont garanties aux navires du Zollverein et à leurs cargaisons, aussi pour le cas inattendu que ce règlement serait aboli, en tout ou en partie, ou même temporairement.

Il est convenu de même que chaque facilité ultérieure accordée ou à accorder aux navires nationaux ou aux navires Belges, s'applique de plein droit aux navires du Zollverein et à leurs cargaisons.

§ 7. A L'ART. XXIII. Les Plénipotentiaires Néerlandais, en communiquant le plan daté de la Haye, du 18 Janvier, 1850, et qui sert de base aux travaux d'art mentionnés dans cet Article, ont fait observer que les fonds nécessaires ont été alloués pour l'exécution

* Vol. XXXVII. Page 1320.

† Vol. XXXVII. Page 1249.

de ce plan, de la part des Etats-Généraux, pour les années 1851 et 1852, et que ces fonds y ont été employés pour l'année 1851 ; ils expriment de même la conviction qu'on continuera à en agir ainsi d'année en année.

§ 8. A L'ART. XXIV. On s'entendra par rapport aux preuves à fournir de la part des sujets respectifs qui jouiront des avantages stipulés dans les alinéa 2 et suivant de cet Article. Ces dispositions n'entreront en vigueur qu'au 1 Mai, 1852.

§ 9. A L'ART. XXV. Par les mots : “ les mêmes modes de transport ” on a voulu exprimer : selon que le transport se fait par terre, par chemin de fer ou par eau, le tout de et vers les mêmes frontières du Zollverein.

Il s'entend de même que la faveur de transit, accordée à la Belgique pour le transit de la Belgique en France, ou *vice versâ*, ne pourra, à cause de la situation géographique, s'appliquer aux Pays-Bas.

Il est convenu, du reste, que les droits de transit réduits, sur les routes traversant le territoire du Zollverein dites “ Kurze Strecken, ” tels que ces droits sont ou seront établis dans les Etats du Zollverein d'après la troisième section de la troisième division du tarif du Zollverein, s'appliqueront également et de plein droit au transit des marchandises venant des Pays-Bas ou y allant, passant sur les dites routes par le territoire du Zollverein.

§ 10. A L'ART. XXVI. Il n'existe plus, selon la législation actuellement en vigueur, des prohibitions de transit dans les Pays-Bas.

§ 11. A L'ART. XXVII. Le Gouvernement Néerlandais fera commencer aussitôt que possible, les travaux nécessaires pour l'établissement de l'entrepôt franc.

A cette occasion, il a été observé de la part des Plénipotentiaires Néerlandais que les marchandises mises en entrepôt à Rotterdam, en vertu de l'Article VI de la Convention de Mayence du 31 Mars, 1831, y payent actuellement déjà des droits inférieurs à ceux indiqués à l'Article LXIX de la dite Convention.

§ 12. A L'ART. XXVIII. Dans le cas où le présent Traité—comme les Hautes Parties Contractantes l'espèrent—restera en vigueur au-delà du 1er Janvier, 1854, les produits du sol et de l'industrie du Royaume des Pays-Bas seront traités à dater du 1er Janvier, 1854, lors de leur importation dans le Zollverein, sur le même pied que le seront, à partir de la dite époque, les produits du sol et de l'industrie similaires de la Belgique.

Il en sera de même pour les droits de sortie du Zollverein vers la Belgique.

Sera expressément excepté des dispositions qui précèdent, l'Article Fer, comme du reste n'étant pas produit du sol Néerlandais.

§ 13. A L'ART. XXXI. Pour ce qui regarde l'application de l'Article VIII au Commerce et à la Navigation dans les colonies

Néerlandaises, il est entendu que, selon la législation en vigueur aux colonies, les marchandises sauvées sont soumises au droit d'entrepôt général en cas de réexportation.

§ 14. A L'ART. XXXII. Il s'entend que ce n'est qu'une simple conséquence de la stipulation générale contenue dans cet Article, que les vins de toute espèce originaires du Zollverein ne payeront, lors de leur importation dans les colonies Néerlandaises, de quelque pays que ce soit, d'autres ni de plus forts droits que les vins de France. Ces droits ne pourront être augmentés au préjudice de vins originaires du Zollverein.

Seront compris dans les produits indiqués à l'Article XXXII les objets suivants, sans que pour cela d'autres produits, rangés par l'usage ou par la loi sous les termes désignés, seraient exclus de l'avantage en question :

1°. Comestibles : les fruits secs de toute espèce ;

2°. Mercerie (kramerijen) : les ouvrages dits de Nuremberg, la bimbeloterie de Nuremberg ou les jouets d'enfants de toute espèce, en tant que l'or et l'argent n'entrent pas dans leur confection comme partie principale ; les petites voitures ou calèches, suspendues ou non, destinées à conduire des enfants, en tant qu'elles pourront être uniquement traînées à bras ; les petits miroirs encadrés en papier ou en bois ; les tableaux dits de Nuremberg, peints sur verre, encadrés ou non ; les menus ouvrages composés ou travaillés de papier, de bois et de verre ; les ardoises à écrire, encadrées ou non ; les nécessaires en bois ou en papier mâché ; les tabatières en bois, papier-mâché, corne ou fer-blanc ; tuyaux (élastiques et autres) et pipes ; lunettes ; fil léonais et cordes de piano ; perles en verre ; sonnettes, clochettes et grelots ; peignes ; cartes ; étuis d'épingles ; chandelles de veille ; étuis de cigarres ; cornets et parchemins ; objets d'optique, y compris des petites lunettes d'approche en papier-mâché et en étain ; échecs et dominos en bois et en os ; marchandises de toute espèce en os ; les horloges dites de Schwarzwald ; clefs de montre ordinaires ; brosses d'habit, de cheval, à dents ou de tête ; chaplets en bois, os ou en verre ; or et argent en feuilles, clinquant d'or et d'argent, paillettes en or et en argent, le tout faux ; de même les ornements en fer-blanc, étain ou zinc dorés ou bronzés, dites faux bronzes d'Iserlohn ; les clavettes et fermoirs en métal, jaunes et blancs ; les bordures imitées en soie, en or ou argent faux et les galons de ce genre ; les boutons de toute espèce, excepté en or, en argent, en cuivre ou en acier ; les ornements et autres parties de voitures en métal dit Neu-Silber ; les hameçons ; les portefeuilles, portemonnaies, poches, nécessaires et autres objets similaires en cuir ouvragé.

§ 15. A L'ART. XXXIII. Cette disposition ne s'appliquera pas aux cas où les Etats du Zollverein voudraient diminuer ou remettre

entièrement les droits généraux de leur tarif vis-à-vis d'autres pays Allemands, y compris l'Empire d'Autriche ainsi que la Suisse.

§ 16. A L'ART. XXXVI. Aussitôt que le présent Traité entre en vigueur, le Traité de Navigation conclu le 3 Juin, 1837,* entre la Prusse et les Pays-Bas cessera ses effets.

§ 17. Les Plénipotentiaires sont convenus que le présent Protocole aura la même durée que le Traité; qu'il sera soumis en même temps aux Hautes Parties Contractantes, et que les dispositions qui y sont contenues, seront censées avoir obtenu la ratification des Gouvernements respectifs, dès que celle du Traité même aura eu lieu.

Il a été procédé ensuite à la lecture des 2 exemplaires du Traité, lesquels, ayant été trouvés conformes, ont été signés par les Plénipotentiaires respectifs et scellés de leur cachets.

Fait à la Haye, le 31 Décembre, 1851.

(L.S.) VAN SONSBEECK.

(L.S.) VAN BOSSE.

(L.S.) PAHUD.

(L.S.) KONIGSMARCK.

Déclaration du Plénipotentiaire de Prusse.

La Haye, ce 31 Décembre, 1851.

Pour satisfaire au désir exprimé dans le courant des négociations par les Plénipotentiaires Néerlandais, relativement au transit des marchandises à travers les Etats du Zollverein, le Soussigné est autorisé à faire la déclaration suivante :

Il serait contraire aux principes adoptés par le Zollverein, de soumettre le transit de et vers les Pays-Bas à un traitement différentiel, préjudiciable à ce pays en comparaison à celui du transit de et vers un autre pays situé sur la mer du Nord. Une pareille mesure n'entrant pas dans les intentions du Zollverein, le Soussigné n'hésite pas à donner l'assurance que le transit des marchandises venant des Pays-Bas ou y allant à travers le territoire du Zollverein, ne sera pas soumis à des conditions plus onéreuses et ne payera d'autres ni de plus forts droits que le transit des marchandises, venant d'un autre pays situé sur la mer du Nord entre le Rhin et l'Elbe, y compris Hambourg, ou y allant à travers le territoire du Zollverein, bien entendu toujours par rapport aux mêmes modes de transport.

Le Soussigné, &c.

KONIGSMARCK.

Lettre du Plénipotentiaire de Prusse, en date du 16 Février, 1852.

Le Soussigné a eu l'honneur de recevoir la lettre que son Excellence M. le Ministre des Affaires Etrangères de Sa Majesté le Roi des Pays-Bas a bien voulu lui adresser le 8 du mois passé, relative-

ment aux Articles XXVIII et XXIX du Traité de commerce et de navigation, conclu le 31 Décembre dernier entre les Etats du Zollverein et le Royaume des Pays-Bas, et il s'est empressé d'en porter le contenu à la connaissance de son Gouvernement.

Une communication qu'il vient d'en recevoir le met en état de faire connaître à son Excellence que le Gouvernement Prussien se range à l'avis de celui des Pays-Bas, quant à l'interprétation à donner aux 2 Articles dont il s'agit.

Le Gouvernement du Roi pense également que l'Article XXVIII assure aux produits de la pêche et des colonies Néerlandaises importés dans le Zollverein, que l'importation ait lieu directement ou par l'intermédiaire des ports Néerlandais et quel que soit le mode d'importation, le traitement sur le pied de la nation la plus favorisée, en les garantissant complètement contre l'application des droits différentiels; tandis que d'autre part l'Article XXIX, stipulant: "Que les produits de toute espèce du sol et de l'industrie des Etats du Zollverein importés dans les Pays-Bas, que l'importation ait lieu par mer, sur les fleuves, canaux, ou autres eaux intérieures, ou par terre, ne seront assujettis à d'autres ni de plus droits que ceux qui sont ou qui à l'avenir seront imposés sur les produits similaires de toute autre nation la plus favorisée," garantit au Zollverein la participation à toute faveur qui serait accordée dans les Pays-Bas aux importations par mer, sur les fleuves ou canaux, ou par terre, sans aucun égard au mode d'importation.

Si, par conséquent, le café du Brésil importé directement d'un port Brésilien dans un port du Zollverein y était admis à un droit modéré, cette même modération y serait indubitablement acquise aussi au café de Java, non seulement à son importation directe d'un port Javanais dans un port du Zollverein, mais aussi dans les cas où l'importation aurait lieu par rivières ou canaux, ou par terre, d'un port ou d'une place de commerce des Pays-Bas.

De même, si p. e. des marchandises de laine Anglaises importées par mer, étaient admises dans les Pays-Bas à un droit modéré, ces mêmes marchandises provenant du Zollverein jouiraient dans les Pays-Bas, non seulement à leur importation par mer, mais aussi dans le cas où l'importation aurait lieu sur le Rhin ou par terre, du même avantage.

Le Gouvernement Prussien ne doute pas que celui des Pays-Bas ne partage aussi son opinion sur l'Article XXXIII du Traité, c. a. d. que, si cet Article stipule "que, pour le cas où une des Hautes Parties Contractantes accordait par la suite à quelque autre Etat des faveurs en matière de commerce ou de douane, autres ou plus grandes que celles convenues dans le Traité, les mêmes faveurs deviendront communes à l'autre partie, qui en jouira, gratuitement si la concession est gratuite, ou en donnant un équivalent si la conces-

sion est conditionnelle," il est dérogé à ce principe général par les dispositions particulières des Articles XXVIII et XXIX, suivant lesquelles chaque réduction des droits d'entrée du Zollverein ou des Pays-Bas sur les produits désignés dans lesdits Articles, que cette réduction soit générale, ou qu'elle n'ait lieu qu'en faveur d'un seul pays étranger, devra être appliquée à l'instant même, de plein droit et sans équivalent, aux produits similaires des colonies Néerlandaises ou aux produits similaires du sol et de l'industrie des Etats du Zollverein.

En conséquence le Gouvernement Néerlandais pensera sans doute comme celui de Prusse que, si dans les Articles XXI et XXII du Traité de commerce et de Navigation signé le 20 Septembre dernier entre les Pays-Bas et la Belgique, il a été accordé à ce dernier pays des réductions du Tarif, ces mêmes réductions ou des modérations analogues sont acquises aussi, de plein droit et sans équivalent, aux Etats du Zollverein pour leurs importations de même nature.

En faisant la présente communication à son Excellence M. de Somsbeeck, le Soussigné, &c.

KONIGSMARCK.

DECLARATIONS échangées entre la Sardaigne et le Brésil, relatives à l'Abolition des Droits Différentiels.—1848, 1849.

M. Doria à M. Bernardo de Souza Franco.

Rio de Janeiro, le 24 Juillet, 1848.

LE Soussigné Chargé d'Affaires de Sa Majesté le Roi de Sardaigne vient de recevoir du Gouvernement du Roi l'ordre de déclarer au Gouvernement Impérial que dorénavant les bâtimens Brésiliens et les marchandises qu'ils importeraient dans les ports des Etats de Sa Majesté y seront admis à jouir du même traitement que les bâtimens nationaux, soit pour les droits de navigation, soit pour les droits de douane, moyennant une complète réciprocité de la part du Gouvernement Impérial à l'égard des bâtimens Sardes ainsi que des marchandises qu'ils importeraient dans les ports de l'Empire.

Le Soussigné s'empresse par conséquent de porter cette déclaration à la connaissance de son Excellence M. Bernardo de Souza Franco, Ministre Secrétaire d'Etat aux Affaires Etrangères, et il attendra de l'obligeance accoutumée de son Excellence qu'elle veuille bien de son côté lui faire parvenir une déclaration analogue à fin de

le mettre à même d'annoncer à son Gouvernement qu'un arrangement également avantageux à la navigation du Brésil et de la Sardaigne vient d'être ainsi définitivement convenu et arrêté moyennant l'échange de ces pièces officielles.

Le Soussigné, &c.

M. Bernardo de Souza Franco.

L. DORIA.

Le Vicomte de Olinda au Baron Picolet d'Hermillon.

(Traduction.)

Rio de Janeiro, le 24 Mai, 1849.

LE Soussigné Membre du Conseil de Sa Majesté l'Empereur Président du Conseil des Ministres, Ministre et Secrétaire d'Etat aux Affaires Etrangères, a l'honneur de porter à la connaissance de M. le Baron Picolet d'Hermillon, Ministre Résident de Sardaigne, l'exemplaire inclus du Décret No. 608 du 4 du courant,* révoquant celui du 1er Octobre, 1847,† qui impose des droits différentiels sur les navires des nations qui n'accordent pas à ceux du Brésil les mêmes avantages accordés aux leurs.

Malgré cette délibération, subsiste la doctrine des décrets des 20 Juillet et 12 Août, 1843, qui autorisent le Gouvernement Impérial à lancer, quand il le jugera convenable, ces décrets sur les navires des nations qui n'accordent pas aux Brésiliens une entière réciprocité; et le Brésil ayant adopté dans ses relations commerciales ce principe libéral que la Légation de Sardaigne par ordre de son Gouvernement, dans sa note du 26 Juillet dernier, fit savoir être appliqué au commerce et à la navigation du Brésil dans les ports Sardes, ainsi se trouve obtenu le but qu'on s'était proposé atteindre par la déclaration exigée dans la note précitée, à la quelle de cette manière il doit être considéré avoir été répondu.

Le Soussigné, &c.

Le Baron Picolet d'Hermillon.

VICOMTE DE OLINDA.

DECLARATIONS échangées entre la Sardaigne et les Royaumes Unis de Suède et de Norvège, relatives à l'Abolition des Droits Différentiels.—Juillet, 1850.

Le Chevalier d'Azeglio à M. le Commandeur de Bergman.

Turin, le 12 Juillet, 1850.

LE Parlement national vient de rendre une loi qui a reçu la sanction royale le 6 du courant, par laquelle tous les droits différentiels de navigation et de commerce qu'on percevait jusqu'à présent dans ce royaume au détriment des pavillons étrangers demeurent

* Vol. XXXIX. Page 1347.

† Vol. XXXIX. Page 1346.

supprimés en faveur des nations qui accorderaient au pavillon Sarde une parfaite réciprocité.

D'après cette loi la réserve qui formait l'objet de l'Article séparé du Traité du 28 Novembre, 1839, vient de cesser. Des ordres ont en conséquence été donnés aux autorités de nos ports pour que cette mesure reçoive immédiatement son entière exécution en faveur du pavillon de Suède et de Norvège.

Je ne doute pas que de son côté votre Gouvernement ne s'empresse de donner à celui de Sa Majesté l'assurance, qu'il regarde comme ayant cessé la réserve éventuelle d'appliquer de semblables droits dans tous les ports de Suède et de Norvège.

Agréez, &c.

M. Bergman.

AZEGLIO.

M. le Commandeur de Bergman à M. le Chevalier d'Azeglio.

Stockholm, le 30 Juillet, 1850.

J'AI reçu ici la lettre, que votre Excellence m'a fait l'honneur de m'adresser en date du 12 du courant, pour m'annoncer, que le Parlement national venait de rendre une loi qui a reçu la sanction royale le 6 de ce mois, par laquelle tous les droits différentiels de navigation et de commerce, qu'on percevait jusqu'à présent dans les Etats Sardes, au détriment des pavillons étrangers, demeurent supprimés en faveur des nations qui accorderaient au pavillon Sarde une parfaite réciprocité, et que la réserve, qui formait l'objet de l'Article séparé du Traité du 28 Novembre, 1839,* ayant ainsi cessé, des ordres avaient été donnés en conséquence aux autorités des ports Sardes, pour que cette mesure reçût immédiatement son entière exécution en faveur du pavillon de Suède et de Norvège.

Je me suis expressé de porter cette communication à la connaissance du Gouvernement du Roi, et j'ai été autorisé en conséquence à donner à celui de Sa Majesté le Roi de Sardaigne l'assurance, que le Gouvernement du Roi considère comme ayant entièrement cessé la réserve éventuelle contenue dans l'Article séparé du Traité susmentionné, d'appliquer dans certains cas au pavillon Sarde des droits différentiels dans les ports de Suède et de Norvège; comme aussi j'ai été chargé d'exprimer à votre Excellence la satisfaction avec laquelle le Gouvernement du Roi a accueilli la nouvelle d'une détermination qui ne laisse pas d'être également favorable aux intérêts des nations respectives.

Je saisis, &c.

Le Chevalier d'Azeglio.

BERGMAN.

DECLARATIONS échangées entre la Sardaigne et le Grand-Duché d'Oldenbourg, relatives à l'Abolition des Droits Différentiels.—Juillet, Août, 1850.

Le Chevalier d'Azeglio à M. D'Eisendecher.

Turin, le 12 Juillet, 1850.

LE Parlement national vient de rendre une loi qui a reçu la sanction royale le 6 du courant, par laquelle tous les droits différentiels de navigation et de commerce qu'on percevait au détriment des pavillons étrangers dans les ports de ce royaume demeurent supprimés en faveur des nations qui accorderaient au pavillon Sarde une parfaite réciprocité.

D'après cette loi la réserve qui formait l'objet de l'Article séparé du Traité conclu le 21 Avril, 1846,* entre la Sardaigne et l'Oldenbourg vient de cesser.

Des ordres ont en conséquence été donnés aux autorités de nos ports, pour que cette mesure reçoive immédiatement son exécution en faveur du pavillon Oldenbourgeois.

Je ne doute pas que de son côté votre Gouvernement ne s'empresse de donner à celui de Sa Majesté l'assurance qu'il regarde comme ayant cessé la réserve éventuelle d'appliquer de semblables droits au pavillon Sarde dans les ports de l'Oldenbourg.

Veuillez, &c.

M. D'Eisendecher.

AZEGLIO.

M. W. D'Eisendecher au Chevalier d'Azeglio.

Oldenbourg, ce 1 Août, 1850.

VOTRE Excellence a bien voulu me communiquer par sa lettre du 12 du mois passé, que le Parlement national vient de rendre une loi, qui a reçu le sanction royale le 6 du même mois, par laquelle tous les droits différentiels de navigation et de commerce qu'on percevait jusqu'alors dans les ports du royaume de Sardaigne au détriment des pavillons étrangers demeurent supprimés en faveur des nations qui accorderaient au pavillon Sarde une parfaite réciprocité.

Par suite de cette loi, qui d'après la note de votre Excellence a aussitôt reçu son exécution en faveur du pavillon Oldenbourgeois dans les ports Sardes, la réserve qui formait l'objet de l'Article séparé du Traité conclu le 21 Avril, 1846, entre la Sardaigne et l'Oldenbourg, vient de cesser, et le Gouvernement Grand-Ducal n'hésite pas à déclarer de son côté qu'il regarde comme ayant cessé la réserve éventuelle exprimée par le dit article séparé, d'appliquer de semblables droits dans les ports Oldenbourgeois au pavillon Sarde.

En notifiant donc à votre Excellence cette déclaration au nom

du Gouvernement de son Altesse Royale le Grand-Duc d'Oldenbourg, je saisis, &c.

Le Chevalier d'Azeglio.

W. D'EISENDECHER.

DECLARATIONS échangées entre la Sardaigne et le Hanôvre relatives à l'Abolition des Droits Différentiels.—Juillet, Août, 1850.

Le Chevalier d'Azeglio à M. Stockhausen.

Turin, le 12 Juillet, 1850.

LE Parlement national vient de rendre une loi qui a reçu la sanction royale le 6 du courant, par laquelle tous les droits différentiels de navigation et de commerce qu'on percevait jusqu'à présent dans ce royaume au détriment des pavillons étrangers demeurent supprimés en faveur des nations qui accorderaient au pavillon Sarde une parfaite réciprocité.

D'après cette loi la réserve, qui formait l'objet de l'Article séparé du Traité du 11 Août, 1845,* vient de cesser. Des ordres ont en conséquence été donnés aux autorités de nos ports pour que cette mesure reçoive immédiatement son entière exécution en faveur du pavillon de Hanôvre.

Je ne doute pas que de son côté votre Gouvernement ne s'empresse de donner à celui de Sa Majesté l'assurance, qu'il regarde comme ayant cessé la réserve éventuelle d'appliquer de semblables droits dans tous les ports de Hanôvre.

Agréez, &c.

M. Stockhausen.

AZEGLIO.

M. de Stockhausen à M. le Comte de Pralormo.

Paris, le 10 Août, 1850.

JE me suis empressé de transmettre à mon Gouvernement la dépêche que son Excellence M. le Ministre des Affaires Etrangères de Sa Majesté le Roi de Sardaigne lui a adressée en date du 12 Juillet pour lui notifier officiellement la suppression des droits différentiels, dont le Gouvernement Sarde s'était réservé le bénéfice par l'Article séparé du Traité du 15 Août, 1845.

En me témoignant sa vive satisfaction de cette disposition, M. le Comte de Bennigsen, Président du Conseil des Ministres, et Chef du Département des affaires Etrangères me charge d'informer officiellement votre Excellence, en la priant d'en faire part à sa Cour, que le Gouvernement du Roi, qui d'ailleurs n'a jamais usé de la faculté réservée en sa faveur dans le même Article séparé du Traité de 1845, s'empresse de donner à son tour l'assurance formelle, qu'il regarde les stipulations dudit Article séparé comme ayant cessé

d'exister, et déclare ne vouloir établir aucuns droits différentiels au détriment du pavillon Sarde, à moins que le Gouvernement de Sa Majesté le Roi de Sardaigne ne rétablisse de son côté des droits de cette espèce.

En m'acquittant ainsi des ordres de mon Gouvernement, je suis heureux de profiter de cette occasion, &c.

Le Comte de Pralormo.

STOCKHAUSEN.

DECLARATIONS échangées entre la Sardaigne et le Danemark, relatives à l'Abolition des Droits Différentiels. — Juillet, Septembre, 1850.

Le Chevalier d'Azeglio à M. de Reedtz.

Turin, le 12 Juillet, 1850.

LE Parlement national vient de rendre une loi qui a reçu la sanction Royale le 6 du courant, par laquelle tous les droits différentiels de navigation et de commerce qu'on percevait au détriment des pavillons étrangers dans les ports de ce Royaume demeurent supprimés en faveur des nations qui accorderaient au pavillon Sarde une parfaite réciprocité.

D'après cette loi la réserve qui formait l'objet de l'Article séparé du Traité conclu le 14 Août, 1843,* entre la Sardaigne et le Danemark vient de cesser. Des ordres ont en conséquence été donnés aux autorités de nos ports pour que cette mesure reçoive immédiatement son exécution en faveur du pavillon Danois.

Je ne doute pas que de son côté votre Gouvernement ne s'empresse de donner à celui de Sa Majesté l'assurance qu'il regarde comme ayant cessé la réserve éventuelle d'appliquer de semblables droits dans tous les ports du Danemark. Agréez, &c.

M. de Reedtz.

AZEGLIO.

M. de Reedtz à M. le Chevalier d'Azeglio.

Copenhague, le 11 Septembre, 1850.

PAR l'office que vous avez bien voulu adresser à ce Ministère en date du 12 Juillet dernier vous m'avez communiqué que le Roi, votre Auguste Maître, vient de sanctionner une loi, par laquelle tous les droits différentiels perçus jusqu'ici dans les ports du Royaume de Sardaigne sur le pavillon étranger ont été abrogés, et, en ajoutant que des ordres ont été donnés aux autorités compétentes pour que cette mesure reçoive immédiatement son entière exécution en faveur du pavillon Danois, vous avez demandé que le Gouvernement du Roi veuille donner l'assurance, que la réserve de la part du

Danemark formant l'objet de l'Article séparé du Traité du 14 Août, 1843, sera à regarder comme ayant cessé.

C'est avec une vive satisfaction, Monsieur, que j'ai l'honneur de répondre à cette demande, en déclarant par la présente, que le Gouvernement du Roi regarde comme ayant cessé d'exister la faculté, que le Danemark s'était réservée par l'Article séparé du Traité susdit en date du 14 Août, 1843, de prélever des droits différentiels dans ses ports sur le pavillon Sarde.

En me félicitant sincèrement à voir embrassés par votre Gouvernement les mêmes principes libéraux, qui forment depuis longtemps la base de la législation commerciale du Danemark, et dont l'adoption de la part de la Sardaigne ne saurait que contribuer puissamment à augmenter et étendre, au profit mutuel des 2 nations, les rapports de commerce existant déjà entre elles, je saisis cette occasion, &c.

Le Chevalier d'Azeglio.

REEDTZ.

*DECLARATIONS échangées entre la Sardaigne et la Nouvelle Grenade, relatives à l'Abolition des Droits Différentiels.—
Juillet, Octobre, 1850.*

Le Chevalier d'Azeglio à M. de Paredes.

Turin, le 12 Juillet, 1850.

LE Parlement national vient de rendre une loi qui a reçu la sanction Royale le 6 du courant, par laquelle tous les droits différentiels de navigation et de commerce qu'on percevait au détriment des pavillons étrangers dans les ports de ce Royaume demeurent supprimés en faveur des nations qui accorderaient au pavillon Sarde une parfaite réciprocité.

D'après cette loi la réserve qui formait l'objet de l'Article additionnel du Traité conclu le 18 Août, 1847,* entre la Sardaigne et la République de la Nouvelle Grenade vient de cesser.

Des ordres ont en conséquence été donnés aux autorités de nos ports pour que cette mesure reçoive immédiatement son exécution en faveur du pavillon de la Nouvelle Grenade.

Je ne doute pas que de son côté votre Gouvernement ne s'empresse de donner à celui de Sa Majesté l'assurance, qu'il regarde comme ayant cessé la réserve éventuelle d'appliquer de semblables droits au pavillon Sarde dans les ports de la Nouvelle Grenade.

Veillez, &c.

M. de Paredes.

AZEGLIO.

M. de D. Paredes au Chevalier d'Azeglio.

(Traduction.)

Bogotá, le 11 Octobre, 1850.

C'EST avec beaucoup de plaisir que j'ai reçu et porté à la connaissance de mon Gouvernement la note estimable que votre Excellence a bien voulu m'adresser le 12 Juillet dernier, en me notifiant que Sa Majesté le Roi de Sardaigne avait sanctionné le 6 du même mois une loi qui abolit, en faveur des nations qui accorderaient au pavillon Sarde un égal traitement, les droits différentiels de navigation et de commerce qu'on percevait auparavant sur les marchandises importées sous pavillon étranger dans les ports de ce Royaume.

Informé du contenu de la note susmentionnée le Citoyen Président de la République m'a ordonné de répondre à votre Excellence en lui témoignant le plaisir qu'il a éprouvé pour une disposition aussi libérale; et en lui exposant en même temps que, les droits différentiels d'importation étant abolis dans la Nouvelle Grenade en vertu de la loi du 14 Juin, 1847, on ne perçoit plus dès à présent dans nos ports de tels droits au détriment d'aucune nation étrangère, ni par conséquent sur les navires des Etats de Sa Majesté le Roi de Sardaigne. Il est donc inutile d'expédier les ordres, sollicités par votre Excellence, aux douanes maritimes de la République pour qu'on regarde comme ayant cessé d'exister la disposition contenue dans l'Article additionnel du Traité d'amitié, de commerce et de navigation signé à Turin le 18 Août, 1847, entre la Nouvelle Grenade et la Sardaigne.

En m'acquittant ainsi des ordres du Citoyen Président de la République, je saisis, &c.

Le Chevalier d'Azeglio.

VICTORIANO DE D. PAREDES.

CONVENTION of Offensive and Defensive Alliance, between Brazil, the Oriental Republic of the Uruguay, and the State of Entre Rios, in order to maintain the Independence and promote the Pacification of the Territory of the Oriental Republic.—Signed at Monte Video, May 29, 1851.

(Translation.)

WE, the Constitutional Emperor and Perpetual Defender of Brazil, &c. make known to all who shall see the present letter of confirmation, that on the 29th day of the month of May, 1851, there was concluded and signed at Monte Video, the capital of the Oriental Republic of the Uruguay, a Convention between this Empire, that Republic, and the State of Entre Rios, each duly represented for the

purposes declared below, the tenor and form of which are as follows:

His Majesty the Emperor of Brazil, the Government of the Oriental Republic of the Uruguay, and the State of Entre Rios, in virtue of the rights of national independence recognized by the Treaty of the 4th of January, 1831,*—and this last State having reassumed the faculty granted to the Governor of Buenos Ayres to represent the Argentine Confederation in so far as respects foreign relations,—all being interested in establishing the independence and pacification of that Republic, and in co-operating for the purpose of bringing its political regimen within the limits of the circle described by the Constitution of the State, thus placing itself in a situation to establish a regular order of things of such a nature as to secure the stability of the institutions, the peculiar interests of the Republic, and the relations of good understanding and friendship between the Government of the said Republic and the Governments of the neighbouring States,—have resolved to adjust and sign a Convention for this object; and in virtue of this resolution, the following gentlemen, viz., Don Rodrigo de Souza da Silva Pontes, of the Council of His Majesty the Emperor, Commander of the Order of Christ, Chief Magistrate of the District of Marañan, Chargé d'Affaires for Brazil in the Oriental Republic of the Uruguay, Permanent Member of the Historico-Geographical Institute of Brazil; Doctor Don Manuel Herrera y Obes, Minister and Secretary of State in the Departments of Government and Foreign Affairs of the Oriental Republic of the Uruguay; and Citizen Don Antonio Cuyas y Sampere; being duly authorized, have stipulated and agreed upon the following Articles, subject to the ratification of their respective Governments within the term of 3 months, reckoned from the present date:

ART. I. His Majesty the Emperor of Brazil, the Oriental Republic of the Uruguay, and the State of Entre Rios, unite in an offensive and defensive alliance for the purpose of maintaining the independence and pacifying the territory of the said Oriental Republic, by causing General Oribe, and the Argentine forces under his command to evacuate the said territory, and by co-operating for the restoration of things to their normal state, so that the free election of the President of the Republic may be proceeded with according to the Constitution of the Oriental State.

II. In order to fulfil the objects which the allied Governments have in view, they will co-operate with all their disposable means of war, by sea and land, according as exigencies may require.

III. The allied States may, previous to the breaking out of their respective action, give General Oribe such notices as they

may think fit, without any other restriction than that of reciprocally informing each other of these notices, previous to their being carried into effect, in order that they may agree in spirit, and that there may be unity and coherence in the said notices.

IV. As soon as it shall be deemed proper, the Brazilian army shall march for the frontier, in order to commence operations within the territory of the Republic when it may be necessary; and the squadron of His Majesty the Emperor of Brazil shall be placed in a position to attack the territory under the dominion of General Oribe.

V. But also taking into consideration that the Government of Brazil ought to protect the Brazilian subjects who have suffered and still suffer from the oppression imposed by the forces and orders of General Oribe, it is agreed, that supposing the former Articles to be carried into effect, some of the Imperial forces, in addition to those destined for the operations of war, shall have power to make this protection effective, charging itself (in concert with the General-in-chief of the Oriental State) with the security of the persons and properties of Brazilians, as well as any other individuals that may reside or be established on the frontier, to a distance of 20 leagues within the Oriental State; and this protection shall be given against robberies, assassinations, and outrages committed by any band of armed people, whatever their denomination.

VI. From the time that the forces of the Allies enter the territory of the Oriental Republic of the Uruguay, they shall be under the command and direction of the Commander-in-chief of the Oriental army, except in case of the total of the forces of each of the Allied States exceeding the total of the Oriental forces; or in the event of the entire army of Brazil or of Entre Rios passing into the territory of the Republic.

In the first of these cases the Brazilian or Allied forces shall be commanded by a Chief of their respective nation; and in the second by their respective Commanders-in-chief; but in either of these hypotheses the Chief of the Allies shall come to a cordial understanding with the General of the Oriental army, with respect to the direction of the operations of war, as well as in all else that may contribute to its success.

VII. When warlike operations have commenced, the Governments of the allied States shall actively and effectively co-operate, in order that all the Oriental emigrants who may be in their respective territories, and who may be fit to bear arms, do place themselves under the immediate orders of the Commander-in-chief of the Oriental army. Such emigrants to be supplied on account of the Republic, with the assistance they may require for their transport.

VIII. The quotas to be contributed by each of the allied armies shall be supplied on the simple requisition of the Commander-in-chief of the Oriental army, when and how he may require them; he giving previous notice and acting in concert with the respective Generals, whenever it may be possible to do so.

IX. The preceding Article as well as Article V must not be understood in such a manner as to prejudice the liberty of action of the Imperial forces, when an agreement and previous understanding with the Commander-in-chief of the Oriental forces may not be possible, either for the operations of war, or for the protection referred to in the before-mentioned Article V.

X. The Oriental Government, with the previous agreement of the Allies, will declare the armistice at an end; and from that moment the obligation to maintain the Island of Martin Garcia, in the power of the Oriental forces and authorities, will rest upon each of the Allies, according to the means which they may have at their disposal, in concert with the Oriental Government; it being especially the duty of the Commander-in-chief of the Brazilian squadron to protect the said island, its port and anchoring ground, as well as the free navigation of vessels belonging to any of the allied States.

XI. When the moment of the evacuation of the Oriental Territory by the Argentine troops has arrived, this act shall take place in the form and manner agreed upon with the actual Government of Entre Rios.

XII. The expenses of pay, provisions, warlike stores, and clothing of the Allied troops, shall be on account of the respective States.

XIII. In the event of any extraordinary succours being furnished, their amount, nature, employment and pay, shall be the subject of special agreement between the parties interested.

XIV. When the pacification of the Republic, and the re-establishment of the authority of the Oriental Government in the whole of the State has been obtained, the Allied land forces shall return within their respective frontiers, and remain stationed there until the election of the President of the Republic shall have taken place.

XV. Although this alliance has for its only object the real and effective independence of the Oriental Republic of the Uruguay, yet if on account of this same alliance the Government of Buenos Ayres should declare war against the Allies, either individually or collectively, the present alliance shall then become a common alliance against the said Government, even although its present objects may have been obtained; and from that moment peace or war will assume the same aspect. But if the Government of Buenos Ayres should

confine itself to partial hostilities against any one of the Allied States, the others shall co-operate with all the means in their power to repel and put an end to such hostilities.

XVI. In the event of the supposition expressed in the preceding Article being realised, the defence and security of the rivers Paraná and Uruguay will be one of the principal services in which the squadron of His Majesty the Emperor of Brazil must be employed, assisted by the forces of the Allied States.

XVII. As a natural consequence of this compact, and being desirous not to give any pretext for the least doubt as to the spirit of cordiality, good faith, and disinterestedness on which it is based, the Allied States mutually guarantee their respective independence and sovereignty, and the integrity of their territories, without prejudicing acquired rights.

XVIII. The Governments of Entre Rios and Corrientes (if this latter should agree to the present Convention) will admit the vessels of the Allied States to the free navigation of the part of the Paraná running through the territories of these Governments, without prejudice to the rights and stipulations arising out of the Preliminary Treaty of Peace dated 27th of August, 1828,* or any other rights arising out of any other principle.

XIX. The Oriental Government will appoint General Don Eugenio Garzon Commander-in-chief of the army of the Republic, as soon as the said General has recognised the Government of Monte Video as the Government of the Republic.

XX. The Allied States being interested in that the new governing authority of the Oriental Republic possess all the vigour and stability required for the preservation of internal peace, so much disturbed by the long struggle that the country has sustained, they (the Allies) solemnly bind themselves to maintain, protect, and assist that authority, by all the means within the reach of each of the said States, against all acts of insurrection or armed rebellion, from the day on which the election of the President shall have taken place, and for the time only of his respective administration in conformity with the Constitution of the State.

XXI. And in order that this peace may be advantageous to all, and at the same time consolidate international relations with the cordiality and harmony in which they ought to be maintained and which so much interests the neighbouring States, it shall also be an obligation on the President elect, as soon as his Government is constituted, to give security by means of just and equitable arrangements, to the persons, rights, and properties of Brazilian subjects and the subjects of the other Allied States who reside in the territory

* Vol XV. Page 935.

of the Republic, and to conclude with the Imperial Government, as well as with the other Allies, all the Contracts and Conventions that the necessity of maintaining good international relations may demand; provided such Contracts and Conventions should not have been previously concluded by the preceding Government.

XXII. No one of the Allied States shall separate itself from this alliance, until the objects proposed be attained.

XXIII. The Government of Paraguay shall be invited to enter into the present alliance, a copy of this Convention being sent there, and if it should do so, and agree to the arrangements therein contained, it shall take its corresponding part in the co-operation, in order that it may also participate in the advantages conceded to each other by the Allied Governments.

XXIV. This Convention shall be kept secret until the objects in view are attained.

Done at Monte Video, the 29th day of May, 1851.

(L.S.) RODRIGO DE SOUZA DA SILVA PONTES.

(L.S.) MANUEL HERRERA Y OBES.

(L.S.) ANTONIO CUYAS Y SAMPERE.

And having before us the same Convention, the tenor of which is the foregoing, and all that is therein contained having been well seen, considered, and examined, we approve, ratify, and confirm it, as well in the whole as in each one of its Articles and stipulations, and by this present we pronounce it to be firm and valid, in order that it may produce its due effect.

In testimony whereof we have caused the present letter to be issued, signed by us, sealed with the great seal of the arms of the Empire, and countersigned by our Minister Secretary of State, whose name is affixed below.

Given at the palace of Rio de Janeiro, on the 8th day of July, in the year of our Lord Jesus Christ, 1851.

(L.S.) PEDRO, *Emperor*.

PAULINO JOSE SOARES DE SOUZA.

This Convention was also ratified by the Oriental Republic of the Uruguay and the State of Entre Rios.

TREATY of Alliance between Brazil and the Oriental Republic of the Uruguay.—Signed at Rio de Janeiro, October 12, 1851.

(Translation.)

WE, the Constitutional Emperor and Perpetual Defender of Brazil, &c., make known to all who shall see the present letter of confirmation, approbation, and ratification, that on the 12th day of October, 1851, there was concluded and signed at this Court of Rio de Janeiro, by the respective Plenipotentiaries, invested with the necessary full powers, a Treaty of Alliance between Brazil and the Oriental Republic of the Uruguay, the tenor of which is as follows :

In the name of the Most Holy and Indivisible Trinity.

His Majesty the Emperor of Brazil, and the President of the Oriental Republic of the Uruguay, being desirous of binding more closely the political relations between the 2 States, and promoting in the most efficacious manner the re-establishment of peace and tranquillity in the Oriental State, and by the preservation of the said peace the reciprocal security of both States,—have agreed to enter into a Treaty of Alliance, and for this purpose have named as their Plenipotentiaries, that is to say :

His Excellency Honorio Hermeto Carneiro Leão, of the Privy Council and of the Council of State, Senator of the Empire, Grand Cross of the Order of Christ, and Officer of the Imperial Order of the Southern Cross ; and his Excellency Antonio Paulino Limpo de Abreu, of the Privy Council and of the Council of State, Senator of the Empire, Dignitary of the Imperial Order of the Southern Cross, and Knight of the Order of Christ, on the part of His Majesty the Emperor of Brazil ; and

Don Andres Lamas, President of the Historico-Geographical Institute of the Republic, Member and Founder of the Institute of Public Instruction, and of the Council of the University, Envoy Extraordinary and Minister Plenipotentiary of the said Republic, to the Court of His Majesty the Emperor of Brazil, on the part of the President of the Oriental Republic of the Uruguay ;

Who, after having exchanged their respective full powers, found to be in good and due form, have agreed upon the following Articles :

ART. I. The temporary and special alliance stipulated on the 29th of May* of the present year, between the Empire of Brazil and the Oriental Republic of the Uruguay, is extended by the present Convention into a perpetual alliance, which has for its object the sustentation of the independence of the 2 States against any foreign domination.

II. The independence of either of the States will be considered to be attacked in the cases which shall be ulteriorly determined by both; and especially in the case of declared conquest, and when a foreign nation attempts to change the form of its Government, or to determine or impose on it the person or persons who are to govern it.

III. In either of these eventualities of the alliance, the 2 High Contracting Parties will agree among themselves upon the co-operation that each is to afford, and will regulate it according to the necessities of the case, and the resources which each one can dispose of.

IV. It is understood that the High Contracting Parties oblige themselves to guarantee reciprocally the integrity of their respective territories.

V. In order to strengthen the Oriental nationality by means of internal peace and constitutional customs, the Government of His Majesty the Emperor of Brazil binds itself to give efficient support to whomsoever may be constitutionally elected in the Oriental Republic, during the 4 years of his legal term.

VI. This support shall be given by the Imperial sea and land forces at the request of the same Constitutional Government of the Oriental Republic, in the following cases:

1. In the event of any armed movement against him or his authority, whatever may be the pretext of the insurgents.

2. In the event of the deposition of the President by unconstitutional means.

VII. The Imperial Government shall not under any pretext refuse its assistance in the cases mentioned in the preceding Article.

VIII. If after the expiration of the 4 years for which the support agreed upon in the preceding Articles is to be given, the state of the country should require its continuance, the Empire will give it for 4 years more, if formally solicited to do so by the new President, in virtue of a resolution specially come to by the competent Power.

IX. Both of the High Contracting Parties declare very explicitly and categorically, that whatever may happen to be the use of the assistance that in conformity with the preceding Articles the Empire may have to afford to the Oriental Republic of the Uruguay, that assistance will be limited in all cases to the re-establishment of order and the exercise of the constitutional authority, and will cease immediately that these objects have been accomplished.

X. All the expenses of transport, sustenance, and preservation of the forces both by sea and land, which, in accordance with the preceding Article may be asked for, and granted, the pay and allowances to the officers and soldiers of the Imperial army and

navy, and the wages of the crews of the latter up to the time that the said assistance ceases, shall be on account of the Government of the Oriental Republic of the Uruguay, and shall be paid at the time and in the manner to be stipulated.

XI. In order to ensure the pacification, and guarantee the preservation of public order in the Oriental State, consulting the legitimate interests of all its inhabitants, those of humanity and those of the neighbouring States, the President of the Oriental Republic of the Uruguay binds himself:

1. To publish a complete amnesty and absolute oblivion of all the political acts and opinions anterior to the day of the ratification of the present Treaty.

This amnesty shall be without exception, and when once published, no one shall be accused, tried, or punished, for political acts anterior to the ratification of this Treaty, even although they may have offended against the rights of third parties; the Government of the Republic, nevertheless, reserving to itself the power, if considered necessary for the establishment and consolidation of public order, of directing some one or more of the most notable military chiefs to reside temporarily out of the country; allowing them the pay to which their commission in the army gives them a right, if they ask for it, recognizing the authority of the Government.

2. To prohibit by all means within its reach and within the compass of the constitutional attributions of the powers of the State, the accusations and discussions of the press concerning the acts and persons comprehended in the amnesty, with the view of making more effectual the oblivion of the past, and of thus calming the spirit of the people.

3. To order the restitution to their legitimate owners, of the landed property which has, during the war which is about to terminate, been confiscated, contrary to the tenor of the CXLVith Article of the Constitution of the Republic.

4. To take effectual measures to re-establish and preserve to all the inhabitants of the Republic the full enjoyment of the guarantees conceded to them by Articles CXXX, CXXXIV, CXXXV, CXXXVI, CXI, CXLII, CXLIII, CXLIV, CXLV, CXLVI, and CXLVII of its Constitution.

XII. It is understood that the measures comprehended in the first 3 paragraphs of the preceding Article will be duly published for being carried into effect, with the publication of the act of ratification of the present Treaty. Those of the 4th paragraph, which require special regulations, shall be put into execution as soon as possible.

XIII. If during the continuance of the protection afforded by Brazil to the Government of the Oriental Republic of the Uruguay,

any rebellion should be raised against that of His Majesty the Emperor in his territories bordering on those of the Republic, the Government of the said Republic obliges itself to afford to the legal forces and authorities of Brazil all the protection and assistance in its power; not to countenance any kind of commerce with the rebels, and to place those who may take refuge in its territory (without default, however, of the obligations that humanity, the liberality of its institutions, and its own dignity impose on it) in a perfectly inoffensive position, disarming them if they be armed, and delivering up their arms, horses, or any other articles of war to the Imperial Government.

XIV. The 2 High Contracting Parties will propose to the Argentine States, that, by acceding to the foregoing stipulations, they form part of the alliance on terms of the most complete equality and reciprocity.

XV. A similar proposal shall be addressed to the Government of the Republic of Paraguay.

XVI. The Government of the Republic of Paraguay having bound itself to co-operate with His Majesty the Emperor of Brazil in the maintenance of the independence of the Oriental Republic of the Uruguay, and the equilibrium and security of the neighbouring States being interested in the independence of Paraguay, the Government of the Oriental Republic of the Uruguay binds itself, without prejudice to the result of the invitation referred to in the preceding Article, also to co-operate on its part, conjointly with Brazil, in the preservation and defence of the independence of the Republic of Paraguay.

XVII. The exchange of the ratifications of the present Treaty shall take place at Monte Video within the term of 30 days, or sooner if possible.

In testimony whereof we, the Undersigned, Plenipotentiaries of His Majesty the Emperor of Brazil, and of the President of the Oriental Republic of the Uruguay, in virtue of our full powers, sign the present Treaty with our hand, and cause to be put to it the seal of our arms.

Done in the city of Rio de Janeiro, the 12th day of October, in the year of our Lord Jesus Christ 1851.

(L.S.) HONORIO HERMETO CARNEIRO LEAO.

(L.S.) ANTONIO PAULINO LIMPO DE ABREU.

(L.S.) ANDRES LAMAS.

And the said Treaty having been presented to us, the tenor of which is above stated, and having been well seen, considered, and examined by us, we approve, ratify, and confirm all that it contains, as well in the whole as in each one of its Articles and

stipulations, and by this present we give it as firm and valid, in order that it may produce its due effect, promising upon our Imperial faith and word, inviolably to observe and fulfil it, and to cause it to be fulfilled and observed by all possible means.

In testimony whereof we have caused the present letter to be issued, signed by us, sealed with the great seal of the arms of the Empire, and countersigned by our Minister Secretary of State, whose name is affixed below.

Given at the Palace of Rio de Janeiro on the 13th day of October, in the year of our Lord Jesus Christ 1851.

(L.S.) PEDRO, *Emperor*.

PAULINO JOSE SOARES DE SOUZA.

TREATY of Commerce and Navigation between Brazil and the Oriental Republic of the Uruguay.—Signed at Rio de Janeiro, October 12, 1851.

(Translation.)

WE, the Constitutional Emperor and Perpetual Defender of Brazil, &c., make known to all those who shall see the present letter of confirmation, approbation, and ratification, that on the 12th day of the current month and year, there was concluded and signed at this Court of Rio de Janeiro, between us and the President of the Oriental Republic of the Uruguay, by our respective Plenipotentiaries, duly furnished with the necessary full powers, a Treaty of Commerce and Navigation, the tenor of which is as follows :

In the name of the Most Holy and Indivisible Trinity.

His Majesty the Emperor of Brazil, and the President of the Oriental Republic of the Uruguay, being desirous to establish on solid and lasting bases, the relations of peace and friendship that subsist between the 2 countries, and to promote the common interests of their commerce and navigation, by means of a Treaty regulating the said relations and interests, have named as their Plenipotentiaries, that is to say :

His Excellency Honorio Hermeto Carneiro Leão, of the Privy Council and of the Council of State, Senator of the Empire, Grand Cross of the Order of Christ, and Officer of the Imperial Order of the Southern Cross ; and his Excellency Antonio Paulino Limpo de Abreu, of the Privy Council and of the Council of State, Senator of the Empire, Dignitary of the Imperial Order of the Southern Cross, and Knight of the Order of Christ, on the part of His Majesty the Emperor of Brazil ;

And Don Andres Lamas, Envoy Extraordinary and Minister Plenipotentiary to the Court of the Empire of Brazil, on the part of the Oriental Republic of the Uruguay ;

Who, after having exchanged their respective full powers, found to be in good and due form, have agreed upon the following Articles:

ART. I. There shall be perfect peace, and firm and sincere friendship between His Majesty the Emperor of Brazil, his successors and subjects, and the Oriental Republic of the Uruguay and its citizens, in all their respective possessions and territories.

II. The 2 High Contracting Parties, desirous of establishing the commerce and navigation of their respective States upon the basis of a perfect equality and reciprocal goodwill, have mutually agreed that the Diplomatic and Consular Agents, the subjects and citizens of each, their vessels, and the natural or manufactured products of the 2 States, shall reciprocally enjoy in the other the same rights, privileges, and immunities as have been already granted or may in future be granted to the most favoured nation, gratuitously, if the concession to the said nation was or might have been gratuitous, and stipulating a like compensation if the concession should have been conditional.

III. For the better understanding of the preceding Article, the 2 High Contracting Parties agree to consider as Brazilian or Oriental vessels those which may be owned, manned, and navigated according to the laws of the respective countries.

IV. In order to amplify and facilitate the commerce that is carried on with the Oriental State of the Uruguay, by the frontier of Rio Grande de San Pedro, it is hereby agreed that the actual exemption from duties of consumption that at present exists with regard to the salt meat and other produce from cattle imported into the Province of Rio Grande by the said frontier, shall be maintained for the space of 10 years, it being understood that they continue on an equal footing with similar produce of the said province ; and as a compensation it has been agreed, in like manner, that the duty which the Oriental State at present collects on the exportation of live cattle for the said province of Rio Grande shall be totally abolished, and the said exportation shall for the next 10 years to come be entirely free and exempt from that or any other duty.

V. It is also agreed, that the exemptions mentioned in the preceding Article shall continue in force even after the 10 years have expired, and until one or other of the Contracting Parties notifies to the other a wish to discontinue them, which, however, shall not effectively take place until the expiration of 6 months after the said notification.

VI. The Brazilians established or resident in the Oriental terri-

tory, and reciprocally, the Orientals established or resident in the Brazilian territory, shall be exempt from all forced loans or military imposts or requisitions, and from all forced military service of whatsoever kind. If from any extreme necessity of war, any cattle or horses the property of any such individual should be disposed of, the military Chief or Government that does so, shall deliver to the proprietor, at the time, a document, in which are stated the number and quality of what is received; and at sight of this document he shall be duly and amply indemnified.

VII. Recognizing the fact that the military confiscation of private property in land warfare, or for political motives, is opposed to the organization and objects of civilized and Christian societies, confiscations being abolished by the Legislature of both States, and each of the 2 Contracting Parties having a perfect right to prevent its subjects or citizens from acting, in a direct or indirect manner, contrary to the principles and dispositions of its laws; they both reciprocally bind themselves not to allow confiscated goods in their territories; to return them to their legitimate owners; and to prohibit their respective citizens from trading in, or assisting in the trading in, such goods.

The practical means of carrying into effect the resolutions contained in this Article, as to the proof of the confiscated property and its delivery to its legitimate owner, shall be stipulated in special agreements.

VIII. The 2 High Contracting Parties oblige themselves to invite the rest of the American States to adopt reciprocally the stipulations in the preceding Article as an international principle of American right.

IX. In case of war between one of the High Contracting Parties and a third Power, the other Contracting Party that keeps itself neutral (besides the cases mentioned in the Treaty of Alliance concluded on this same date between the 2 High Contracting Parties) will not permit the transit of belligerent forces through its territory, nor that they be provided by means of inland commercial transactions with articles contraband of war.

X. In the above-mentioned state of war, the 2 High Contracting Parties adopt the following principles:

1st. That the neutral flag shall cover the vessel and the persons on board, with the exception of the officers and soldiers in the effective service of the enemy.

2nd. That the neutral flag shall cover the cargo, with the exception of articles contraband of war. Nevertheless, it is understood and agreed that the preceding stipulations, declaring that the flag covers the cargo, shall be only applicable to those Powers which recognize this principle; but if one of the Contracting Parties

be at war with a third, the other remaining neutral, the flag of the neutral shall cover the property of the enemy whose Government recognizes and observes this principle, and not of the others.

3rd. That the hostile flag does not make the cargo of the neutral free unless it was put on board the enemy's vessel before the declaration of war, or even after, without having had notice of it. It is also understood that if the neutral flag does not protect the property of the enemy, the goods and merchandise of the neutral embarked on board an enemy's vessel shall be free.

4th. That the citizens of the neutral State may navigate with their vessels freely, sailing from one port for another belonging to the enemy of either party, it being expressly prohibited to molest them in any way whatever in this navigation.

5th. That no vessel belonging to one of the Contracting Parties that may be met with sailing for a port blockaded by the other, shall be detained or confiscated until after the special notification, of the blockade, registered by the chief of the blockading forces or some officer under his command, in the passport of the vessel.

6th. That neither of the 2 Contracting Parties shall allow the maritime prizes, taken from the other Contracting Party by any State with which it shall be at war, to remain or to be sold in its port.

XI. In order that there may be no doubt as to what are called articles contraband of war, the following are declared to be such :

1st. Artillery, mortars, howitzers, swivel-guns, blunderbusses, muskets, rifles, carbines, firelocks, pistols, pikes, swords, sabres, lances, javelins, halberds, grenades, rockets, bombs, gunpowder, matches, balls, and all other things appertaining to the use of these arms ;

2nd. Shields, helmets, steel breast-plates, coats of mail, military equipments and uniform ;

3rd. Horses, and cavalry equipments, saddles, housings, and all other things appertaining to this arm ;

4th. And generally, all kinds of arms or instruments of iron, steel, brass, and any other manufactured materials prepared or formed expressly for the purposes of war, either by sea or land.

XII. If one of the High Contracting Parties be at war with another State, no citizen of the other shall accept any commission or letter of marque with a view of assisting or co-operating with its enemy, on pain of being treated by both as a pirate.

XIII. Neither of the Contracting Parties shall admit into their ports either pirates or sea-robbers, each binding itself to prosecute them by all means in its power and with all the rigour of the law, as well as those convicted of being accomplices in this crime, or those who conceal the effects so stolen, and to return the vessels and

cargoes to their legitimate owners, citizens of either of the Contracting Parties, or to their agents, or, in default of them, to the respective Consular Agents.

XIV. Both the High Contracting Parties being desirous to bind more closely their friendly relations and to encourage their respective commerce, have agreed in the principle of declaring the navigation of the Uruguay, and that of the affluents of that river which belong to them, common to both.

XV. Both the High Contracting Parties oblige themselves to invite the other States bordering on the River Plate and its affluents, to enter into a similar Convention, with the object of making the navigation of the Rivers Paranâ and Paraguay free for the said bordering States.

XVI. If, as it is to be hoped, the other States should agree to the common navigation of these rivers by those bordering upon them they shall also be invited to establish in common the fiscal and police regulations to which the said navigation is to be subjected; both the High Contracting Parties obliging themselves to sustain, as bases of these arrangements, such as may be most favourable to the best and most ample development of the navigation for which they have been established.

XVII. If the other bordering States should not wish to come to an understanding respecting the arrangements necessary for this purpose, the High Contracting Parties will regulate by themselves alone, as they best can, the navigation of the Uruguay and its affluents on the Oriental margin.

XVIII. The High Contracting Parties recognizing that the Island of Martin Garcia, by its position, might serve to embarrass and impede the free navigation of the affluents of the River Plate, in which all the inhabitants of the bordering States are interested, also recognize the advantage of the neutrality of the said island in time of war, whether between the States of the River Plate, or between one of these and any other Power, for the sake of the common benefit, and as a guarantee of the navigation of the before-mentioned rivers, have agreed:

1st. In opposing by all the means in their power, that the sovereignty of the Island of Martin Garcia should cease to belong to one of the States of the Plate interested in its free navigation.

2nd. In soliciting the concurrence of all the bordering States towards obtaining from that State to which the possession and sovereignty of the said Island of Martin Garcia does or may come to belong, that it should oblige itself not to take advantage of that possession to embarrass the free navigation of the other bordering States; and that it consent to its neutrality in time of war as well

as the establishments that may be necessary for the security of the interior navigation of all the bordering States.

XIX. The reef of rocks that extends across the River Uruguay at the Salto Grande, being an impediment to the free navigation of that river, and it being for the common interest that this obstacle should be destroyed or evaded by means of a lateral channel, both Contracting Parties likewise agree to invite the other bordering States to undertake this work in common; but if this invitation should not be accepted, the Contracting Parties will agree together as to the means of effecting it by themselves alone; and in this case they will establish a transit duty on the vessels of the other States that make use of this advantage.

XX. The exchange of the ratifications of the present Treaty shall take place at Monte Video within the term of 30 days, or sooner, if possible, reckoning from the day of its date.

In testimony whereof we, the Undersigned, Plenipotentiaries of His Majesty the Emperor of Brazil and of the President of the Oriental Republic of Uruguay, in virtue of our full powers, have signed the present Treaty with our hand, and have caused to be put to it the seal of our arms.

Done in the city of Rio de Janeiro, on the 12th day of the month of October, in the year of our Lord Jesus Christ 1851.

(L.S.) HONORIO HERMETO CARNEIRO LEAO.

(L.S.) ANTONIO PAULINO LIMPO DE ABREU.

(L.S.) ANDRES LAMAS.

And having before us the said Treaty, the tenor of which is the foregoing; and all that it contains having been well seen, considered, and examined by us, we hereby approve, ratify, and confirm it as well in the whole as in each of its Articles and stipulations, and by this present we declare it to be firm and valid for ever, promising on our Imperial faith and word, to observe and fulfil it inviolably, and to cause it to be observed and fulfilled by all possible means.

In testimony and confirmation whereof we have caused the present letter to be issued, signed by us, sealed with the great seal of the arms of the Empire, and countersigned by our Minister and Secretary of State, whose name is affixed below.

Given at the Palace of Rio de Janeiro, on the 13th day of October, in the year of our Lord Jesus Christ 1851.

(L.S.) PEDRO, *Emperor*.

PAULINO JOSE SOARES DE SOUZA.

TREATY of Limits between Brazil and the Oriental Republic of the Uruguay.—Signed at Rio de Janeiro, October 12, 1851.

(Translation.)

WE, the Constitutional Emperor and Perpetual Defender of Brazil, &c., make known to all those who shall see the present letter of confirmation, approbation, and ratification, that on the 12th day of the current month and year, there was concluded and signed at this Court of Rio de Janeiro, between us and the President of the Oriental Republic of the Uruguay, by our respective Plenipotentiaries, duly furnished with the necessary full powers, a Treaty of Limits, the tenor of which is as follows :

In the name of the Most Holy and Indivisible Trinity.

His Majesty the Emperor of Brazil, and the President of the Oriental Republic of the Uruguay, being convinced that it is not possible to establish a sincere and lasting alliance between the 2 countries without doing away, as far as possible, with all motives for ulterior disagreement ; and considering that the question relative to limits is one of the most serious, and that consequently a definitive arrangement of the said question is of great importance, in order to serve as a basis for all other arrangements and resolutions that their common interests require ; have agreed to enter into the present Treaty, and for this purpose have appointed as their Plenipotentiaries, that is to say :

His Excellency Honorio Hermeto Carneiro Leão, of the Privy Council and of the Council of State, Senator of the Empire, Grand Cross of the Order of Christ, and Officer of the Imperial Order of the Southern Cross ; and his Excellency Antonio Paulino Limpo de Abreu, of the Privy Council and of the Council of State, Senator of the Empire, Dignitary of the Imperial Order of the Southern Cross, and Chevalier of the Order of Christ, on the part of His Majesty the Emperor of Brazil ;

And the Doctor of Laws, Don Andres Lamas, Envoy Extraordinary and Minister Plenipotentiary of the said Republic to the Court of His Majesty the Emperor of Brazil, on the part of the Oriental Republic of the Uruguay ;

Who, after having exchanged their respective full-powers, which were found to be in good and due form, have agreed upon the following Articles :

ART. I. The 2 High Contracting Parties, convinced that it is of great importance to their satisfactory relations to come to an agreement relative to their respective frontiers, agree to consider as void and of no effect, the different Treaties and acts on which the territorial rights are founded, and which have obtained, up to the present time in the demarcation of their limits ; and that this general

renunciation be more especially understood to relate to those which Brazil derived from the Convention entered into at Monte Video, with the Municipal Governor, on the 30th of January, 1819, and to those derived by the Oriental Republic of Uruguay, from the reserved Article contained in the latter part of the 2nd clause of the Treaty of Incorporation of the 31st of July, 1821.*

II. The High Contracting Parties recognize as the basis which is to regulate their limits the *uti possidetis*, already stated in the said 2nd clause of the Treaty of Incorporation of the 31st of July, 1821, in the following terms :

On the east the Ocean ; on the south the River Plate ; on the west the Uruguay ; on the north the River Quareim as far as the ridge of Santa Anna, that divides the River Santa Maria, and at this part the stream Tacuarembó Grande, following the points of the Yaguaron, enters Lake Merim, and passes by the point of San Miguel to join the Chui, which falls into the Ocean.

III. The general terms of this designation not embracing all the peculiarities of some localities so as to define clearly the course of the boundary line, and the High Contracting Parties being desirous to avoid the difficulties that exist, or might exist on this account, and to correct at the same time some irregularities which are prejudicial to their policy and security, and which are susceptible of correction without any important alteration in the basis of the *uti possidetis*, agree in declaring, and hereby declare and rectify the boundary-line in the following manner :

1st. From the embouchure of the Chui into the Ocean, the boundary line shall ascend by that stream to a distance of half a league, and from the point at which the half-league terminates a straight line shall be drawn, that passing to the south of the Fort of San Miguel and crossing the stream of that name shall go as far as the first points of the stream called Palmar ; the line shall then descend by the said stream until it meets the stream that in the map of the Viscount de San Leopold is called the " San Luis," and in the map of the Colonel of Engineers, Don José Maria Reyes, is called the " India Muerta ;" and by this it shall descend as far as the Lake Merim, and shall follow the western margin of this lake at the highest water mark as far as the mouth of the Yaguaron.

2nd. From the mouth of the Yaguaron, the line shall go along the right margin of that river following the southern branch, that takes its rise in the Valley of Acegua and the high lands of the same name ; from the head waters of this branch a right line shall be drawn that shall cross the Rio Negro in front of the mouth of the River San Luis, and the boundary-line shall be continued up the said river until it arrives at the heights of Santa Anna ; it then

follows this ridge of heights and comes to that called the ridge of Haedo, as far as the point where the branch of the Quareim, called the Invernada River, in the map of the Viscount of San Leopold, but which is without a name in the map of Colonel Reyes, commences, and descends by the said branch until it enters the Uruguay; the island or islands that are found in the embouchure of the said River Quareim into the Uruguay, belonging to Brazil.

IV. It being understood that Brazil is in exclusive possession of the navigation of the Lake of Merim and the River Yaguaron, and is to remain so according to the basis adopted of the *uti possidetis*, admitted with the object of arriving at a definitive and amicable resolution, and recognizing, moreover, the desirability of her having ports into which the Brazilian vessels that navigate that lake may enter, and likewise the Oriental vessels that navigate the rivers in which those ports may be; the Oriental Republic of the Uruguay agrees to cede to Brazil, in complete sovereignty, for the above purpose, half-a-league of land on one of the margins of the embouchure of the Sebollati that may be selected by the Commissioner of the Imperial Government, and another half-league on one of the margins of the Tacuary selected in the same manner; the Imperial Government being at liberty to erect on these lands the works and fortifications it may judge necessary.

V. Immediately after the ratification of the present Treaty, the 2 High Contracting Parties will each appoint a Commissioner, in order that by common consent they may proceed as soon as possible to the demarcation of the boundary-line at the points where it may be necessary, in conformity with the foregoing stipulations.

VI. The exchange of the ratifications of the present Treaty shall take place at Monte Video within the term of 30 days, reckoning from its date, or sooner if possible.

In testimony whereof we, the Undersigned, Plenipotentiaries of His Majesty the Emperor of Brazil and of the President of the Oriental Republic of the Uruguay, in virtue of our full powers, have signed this present Treaty with our hand, and caused to be put to it the seal of our arms.

Done in the city of Rio de Janeiro, the 12th day of the month of October, in the year of our Lord Jesus Christ 1851.

(L.S.) HONORIO HERMETO CARNEIRO LEAO.

(L.S.) ANTONIO PAULINO LIMPO DE ABREU.

(L.S.) ANDRES LAMAS.

And having before us the said Treaty, the tenor of which is the foregoing, and all that is therein contained having been well seen, considered, and examined by us, we approve, ratify, and confirm

it as well in the whole as in each one of its Articles and stipulations; and by the present we declare it to be firm and valid for ever, promising on our Imperial faith and word, inviolably to observe and fulfil the same, and to cause it to be observed and fulfilled by all possible means.

In testimony and confirmation of the foregoing, we have caused the present letter to be issued, signed by us and sealed with the great seal of the arms of the Empire, and countersigned by our Minister and Secretary of State, whose name is affixed below.

Given at the palace of Rio de Janeiro, on the 13th day of October, in the year of our Lord Jesus Christ 1851.

(L.S.) PEDRO, *Emperor*.

PAULINO JOSE SOARES DE SOUZA.

CONVENTION for regulating the pecuniary Assistance to be afforded by Brazil to the Oriental Republic of the Uruguay.

—Signed at Rio de Janeiro, October 12, 1851.

(Translation.)

WE, the Constitutional Emperor and Perpetual Defender of Brazil, &c., make known to all who shall see the present letter of confirmation, approbation, and ratification, that on the 12th day of October, 1851, there was signed and concluded at this Court of Rio de Janeiro, between us and the President of the Oriental Republic of the Uruguay, by the respective Plenipotentiaries furnished with the necessary full powers, a Convention to regulate the pecuniary succours to be afforded on the part of Brazil to the Government of the Republic, the tenor whereof is as follows:

In the name of the Most Holy and Indivisible Trinity.

His Majesty the Emperor of Brazil, and the President of the Oriental Republic of the Uruguay, having recognized that the actual state of deficiency in pecuniary resources to which the said Republic is reduced, arising from the prolonged and calamitous struggle which it has sustained, is the principal and most serious obstacle that prevents this State being pacified and organized in a solid and suitable manner, and its independence maintained and preserved; and being desirous to avoid the perpetuation of civil war, and the renewal of the anarchy so fatal to both the Republic and the Empire to the loss of the fruit of the sacrifices hitherto made, and despite the policy adopted in order to obtain lasting peace and tranquillity; they have agreed to define and adjust the terms on which pecuniary succours are to be afforded to the said Oriental Republic of Uruguay, and the guarantees that the latter is to furnish to Brazil; for which

purpose they have appointed as their Plenipotentiaries, that is to say:

His Excellency Paulino Jose Soares de Souza, of the Privy Council, Senator of the Empire, Grand Cross of the Royal Order of St. Januarius, Officer of the Imperial Order of the Southern Cross, Chief Magistrate of the Municipality of Rio Janeiro, Minister and Secretary of State for Foreign Affairs, on the part of His Majesty the Emperor of Brazil;

And Don Andres Lamas, President of the Historico-Geographical Institute of the Republic, Member and Founder of the Institute of Public Instruction, and of the University Council, Envoy Extraordinary and Minister Plenipotentiary to His Majesty the Emperor of Brazil, on the part of the President of the Oriental Republic of the Uruguay;

Who, after having exchanged their respective full powers, which were found to be in good and due form, have agreed upon the following Articles:

ART. I. The Government of His Majesty's the Emperor will supply the Government of the Oriental Republic of the Uruguay with the sum of 60,000 patacoons monthly, by way of a loan, to commence from the 1st day of November proximo.

II. These loans shall continue for as long a time as the Government of His Majesty the Emperor may judge convenient; nevertheless, they shall not be withdrawn without 3 months' previous notice being given.

III. Besides this sum, the Government of His Majesty will also lend to that of the Republic at once, the sum of 138,000 patacoons in order to meet extraordinary expenses as well as those incurred in July, August, September, and October of the current year.

IV. The loans and sums mentioned in the preceding Articles shall be supplied (the first at the beginning of each month) to the Envoy Extraordinary and Minister Plenipotentiary of the Oriental Republic of the Uruguay, or to the person that the Government of the Republic may appoint.

V. The documents respecting the advance of the loans and the sum above mentioned shall serve as proof of debt due from the Oriental Government to that of Brazil, in order that they may be regulated and repaid in due time, and shall bear interest at the rate of 6 per cent. per annum, reckoning from their dates.

VI. The Oriental Republic of the Uruguay recognizes and declares itself debtor to the Government of Brazil in the sum of 288,791 hard dollars, arising from loans which it has received from Brazil up to this date, and the corresponding interests reckoned from the 1st day of November next ensuing; all former contracts in virtue of which these loans were made, being by this Convention

superseded and of no effect. This sum of 288,791 hard dollars shall bear interest for the future at the rate of 6 per cent. per annum, from the 1st of the next coming November.

VII. If the Oriental Government should get a loan by any means, the funds so obtained shall be especially and immediately applied to the reimbursement of the sums in which it recognizes and declares itself a debtor in this Convention.

VIII. No allegation of claims which the Oriental Government may consider itself to have against Brazil, even in the way of compensation, shall prevail against the payment of these sums.

IX. The monthly loans granted by Article II shall not be applied to the payment of former debts, either wholly or in part, nor can they be spent in anticipation. They shall be exclusively applied to the future expenses of the Departments of War, Foreign Affairs, and Government, and to those of the operations treated of in Article XIV.

X. For the exact and punctual payment of the sums and the interest of which this Convention treats, the Government of the Oriental Republic pledges and hypothecates all the revenues of the State, all the direct and indirect contributions, and especially the duties of the Custom-House.

XI. Immediately that the financial arrangements treated of below are effected, and as soon as the revenues of the Custom-House of Monte Video become free from the former obligations to which it was specially liable, the Government of the Oriental Republic of the Uruguay shall apply such part of the said revenue as may be agreed upon, to the payment of the interest and sinking fund of the sums treated of in this Convention; the sinking fund not being in any case less than 5 per cent. per annum; and the sums destined to pay off the said interest and sinking fund shall be paid monthly or weekly, as may then be agreed upon by the treasurer of the aforesaid Custom-House, and the Minister of Brazil at Monte Video, or the person that the Imperial Government may appoint; the expenses of transmission of the said funds from Monte Video to Rio de Janeiro being borne by the Oriental Government.

XII. This part of the return treated of in the preceding Article shall be invariable, and with it the sinking fund of the capital will be augmented in the same measure as the amount of the interest is annually diminished.

XIII. If the Government of the Republic should consider it preferable, the amount of the part of the revenue of the Custom-House that is to be appropriated to the payment of the interest and sinking fund in virtue of Article XI may be reduced proportionally with the loans treated of in Article I, should they ever take place.

XIV. In order to guarantee the sums lent by the Imperial Government, with the interest thereon, and the better to insure

the reconstruction of the Oriental nationality, the Government of the Republic binds itself:

1st. To declare in course of liquidation on the 1st of January, 1852, the whole debt of the Republic.

2nd. To appoint for the liquidation and classification of the said debt a Commission of Public Credit, composed of 5 members, 1 of whom shall be introduced by the Brazilian Minister at Monte Video.

3rd. To convert in the first 6 months of the next ensuing year, 1852, the whole debt of the State into bonds of Public Consolidated Debt, bearing interest at the rates of 6 and 3 per cent. per annum; making with the creditors such arrangements as may be considered suitable, or, if that be impracticable, by means of the law.

4th. The debt being liquidated, recognized, and classified, and inscribed in the great book of the public debt which shall be created, the accounts to be closed and all the actual business relating to them to be considered terminated.

5th. To fix upon a determinate period for the presentation of the documents of the actual debt which are to be converted into bonds of Consolidated Debt.

XV. In order to define more clearly the basis of the regular system into which the Republic is about to enter, as soon as the calamities that have disordered it are at an end; and as an important guarantee of the obligations it contracts by this Convention, the Oriental Government spontaneously obliges itself to adopt all the measures, within its ability, for the certain and complete fulfilment of that part of the LXXXIInd Article, 3rd chapter, and 7th section of the Constitution, which ordains the annual presentation of the estimates and accounts of the public expenditure to the General Assembly, and moreover not to contract any debt whatever, nor to recognise it, nor inscribe it in the great book, after the termination of the operations treated of in the XIVth Article of this Convention, without a special resolution of the above-mentioned Assembly.

XVI. The exchange of ratifications of the present Convention shall take place at Monte Video within the term of 30 days, reckoning from the present date, or sooner if possible.

In testimony whereof, we, the Undersigned, Plenipotentiaries of His Majesty the Emperor of Brazil and of the President of the Oriental Republic of the Uruguay, in virtue of our full powers, have signed the present Convention with our hand, and have caused to be put to it the seal of our arms.

Done in the city of Rio de Janeiro, on the 12th day of October, in the year of our Lord Jesus Christ 1851.

(L.S.) PAULINO JOSE SOARES DE SOUZA.

(L.S.) ANDRES LAMAS.

And having before us the said Convention, the tenor of which is the foregoing, and all that it contains having been well seen, considered, and examined by us, we approve, ratify, and confirm it as well in the whole as in each of its Articles and stipulations; and by this present we declare it to be firm and valid, in order that it produce its due effect; promising on our Imperial faith and word inviolably to observe and fulfil it, and to cause it to be observed and fulfilled by all possible means.

In testimony and confirmation of the foregoing, we have caused the present letter to be issued, signed by us, sealed with the great seal of the arms of the Empire, and countersigned by our Minister Secretary of State whose name is affixed below.

Given at the palace of Rio de Janeiro, on the 13th day of October, in the year of our Lord Jesus Christ 1851.

(L.S.) PEDRO, *Emperor*.

VISCOUNT DE MONTE ALEGRE.

TREATY between Brazil and the Oriental Republic of the Uruguay, for the Surrender of Criminals and Deserters, and for the return of Runaway Slaves to Brazil.—Signed at Rio de Janeiro, October 12, 1851.

(Translation.)

WE, the Constitutional Emperor and Perpetual Defender of Brazil, &c., make known to all who shall see the present letter of confirmation, approbation, and ratification, that on the 12th day of October, 1851, there was signed and concluded at this Court of Rio de Janeiro, by the respective Plenipotentiaries furnished with the necessary full powers, a Treaty between Brazil and the Oriental Republic of the Uruguay, for the reciprocal delivery of criminals and deserters, and for the return of runaway slaves to Brazil, the tenor of which is as follows:

In the name of the Most Holy and Indivisible Trinity.

His Majesty the Emperor of Brazil, and the President of the Oriental Republic of the Uruguay, considering that the extent of the frontiers of the 2 States, and the facility with which they are crossed, require for the preservation of the goodwill and of the political relations which unite the 2 States the observance of special regulations in conformity with the political and social institutions that govern them, have agreed to enter into a Treaty for the reciprocal delivery of criminals and deserters, and for the return of

runaway slaves to Brazil; and for this purpose have appointed as their Plenipotentiaries, that is to say:

His Excellency Honorio Hermeto Carneiro Leão, of the Privy Council, and of the Council of State, Senator of the Empire, Grand Cross of the Order of Christ, and Officer of the Imperial Order of the Southern Cross; and his Excellency Antonio Paulino Limpo de Abreu, of the Privy Council and of the Council of State, Senator of the Empire, Dignitary of the Imperial Order of the Southern Cross, and Knight of the Order of Christ, on the part of His Majesty the Emperor of Brazil;

And the Advocate, Don Anders Lamas, Envoy Extraordinary and Minister Plenipotentiary of the said Republic to the Court of His Majesty the Emperor of Brazil, on the part of the President of the Oriental Republic of the Uruguay;

Who, after having exchanged their respective full powers, which were found to be in good and due form, have agreed upon the following Articles:

ART. I. The 2 High Contracting Parties bind themselves not to give asylum in their respective territories to great criminals, and agree to their reciprocal extradition, when the following conditions conjointly concur:

1st. When the crimes for which the extradition of the criminal is claimed have been committed in the territory of the Government that claims it.

2nd. When, by their gravity and habitual frequency, they may be capable of endangering the morality or security of the people; such as assassination, poisoning, incendiarism, robbery, fraudulent bankruptcy, fabrication and introduction of false coin or of any paper circulating as money, forgery of public documents, of notes of the authorized banks or of bills of exchange, abstraction of trust-money or funds by public functionaries or by servants to whose keeping they were confided.

3rd. When the said crimes can be proved in such a manner that the laws of the country from which the extradition of the criminal is claimed would justify his arrest and accusation, had the crime been committed within its territory.

4th. When the criminal is claimed directly, or through the medium of the Representative of the Government of the nation in which the offence shall have taken place.

II. The extradition shall not take place:

1st. If the criminal claimed be a citizen of the country of the Government to which the reclamation is made.

2nd. For political crimes; and when a criminal shall have been given up for any of the acts enumerated in the preceding Article, he

shall not be tried or punished for political crimes or acts connected with them, that may have taken place previous to his being delivered up.

III. It is understood that if an individual who has committed crimes in more than one State should be claimed by the respective Governments, the preference shall be given to that in whose territory the greater offence shall have been committed; and if the crimes be of equal gravity, to that which first made the claim.

IV. It is also understood that if the individual whose extradition is claimed should have committed any crime in the country in which he has taken refuge, and should have been brought to trial for it, his extradition can only take place after he has suffered punishment, or in the event of his acquittal.

V. The expenses of the arrest, detention and transport of the criminal shall be borne by the Government that claims him.

VI. The Government of the Oriental Republic of the Uruguay recognizes the principle of restoration, in regard to slaves belonging to Brazilian subjects, who, against the will of their masters, shall have resorted to the territory of the Republic, in any manner, and shall be found there. In this restoration, the following rules shall be observed :

1st. The said slaves shall be claimed either directly by the Imperial Government or through the medium of its Representative in the Republic.

2nd. It is allowed that the reclamation may be made by the President of the province of San Pedro do Rio Grande do Sul, in case the slave or slaves claimed should belong to Brazilian subjects resident or established in that province.

3rd. It is also allowed that the reclamation may be made by the master of the slave before the competent authority of the place where he may be, if the master of the slave should enter, in the pursuit for his capture, into the Oriental territory, or if he should send in pursuit an agent specially authorized for the said purpose.

4th. The reclamation here treated of must be accompanied by a certificate or document proving, according to the laws of Brazil, the right to the property that is claimed.

5th. The expenses incurred in the apprehension and restitution of the slave or slaves claimed shall be on account of the claimant.

VII. The 2 High Contracting Parties also bind themselves not to receive knowingly and willingly into their States, and not to employ in their service, individuals who have deserted from the naval or military service of the other; the deserted soldiers and sailors, whether from vessels of war or merchantmen, are to be seized, and delivered up as soon as they shall be claimed in due

form, upon condition that the party receiving them shall undertake to commute the maximum of the punishment incurred by the desertion, if this, according to the legislation of the reclaiming country, should be visited with capital punishment.

VIII. In order to avoid difficulties which frequently occur, and in conformity with the spirit of the preceding stipulations, the 2 High Contracting Parties also agree:

1st. That neither of them shall admit into its naval or military service any individual of the other's nationality, although not a deserter from the army or navy of the nation to which he belongs, except by voluntary contract, which is to be considered valid.

2nd. That the Imperial Agents in the Republic, and the Agents of the Republic in Brazil, shall not authorize the embarkation on board the vessels of their respective nations, of any individual, even on pretext of indigence, without previously soliciting and obtaining the proper passport, if the laws and regulations of the country so require.

It is understood that this resolution does not include the case of refuge or asylum being sought on board the vessels of the High Contracting Parties, and in which they are bound to observe the well-understood principles of humanity proper to enlightened nations.

IX. The exchange of the ratifications of the present Treaty shall take place at Monte Video, within the term of 30 days, reckoned from this date, or sooner if possible.

In testimony whereof we, the Undersigned, Plenipotentiaries of His Majesty the Emperor of Brazil, and of the President of the Oriental Republic of the Uruguay, in virtue of our full powers, have signed the present Convention with our hands, and have caused to be put to it the seal of our arms.

Done in the city of Rio de Janeiro, on the 12th day of October, in the year of our Lord Jesus Christ 1851.

(L.S.) HONORIO HERMETO CARNEIRO LEAO.

(L.S.) ANTONIO PAULINO LIMPO DE ABREU.

(L.S.) ANDRES LAMAS.

And having before us the said Treaty, the tenor of which is the foregoing, and all that it contains having been well seen, considered, and examined by us, we hereby approve, ratify, and confirm it, as well in the whole as in each one of its Articles and stipulations; and by this present we declare it to be firm and valid for ever, promising on our Imperial faith and word inviolably to observe and

fulfil it, and to cause it to be observed and fulfilled by all possible means.

In testimony and confirmation whereof, we have caused the present letter to be issued, signed by us, sealed with the great seal of the arms of the Empire, and countersigned by our Minister and Secretary of State, whose name is affixed below.

Given at the palace of Rio de Janeiro, on the 13th day of the month of October, in the year of our Lord Jesus Christ 1851.

(L.S.) PEDRO, *Emperor*.

PAULINO JOSE SOARES DE SOUZA.

ACT of the Congress of Colombia, declaring Slave Trade Piracy.—Bogotá, February 14, 1825.

(Translation.)

THE Senate and Chamber of Representatives of the Republic of Colombia, in Congress assembled, considering that in order to render more efficacious the regulations of the Law of the 21st of July of the year 1821-11, which, with the design of gradually abolishing slavery, prohibits the importation of slaves into Colombia, it is necessary to design proportionate penalties against those who infringe this law, and against those who, trampling upon the rights of natural liberty, and the eternal principles of reason and sound policy, engage in the African Slave Trade ;

DECREE :

ART. I. The citizens and subjects of Colombia, and the commanders, mates, and sailors of national vessels who, on the high sea, or in any parts that are under the jurisdiction of the Republic, are found conveying, conducting, or transporting one or more persons taken from Africa as slaves, or who help to embark, convey, or transport slaves taken from Africa, or who traffic, in buying or selling, one or more of them, shall be held and tried for any of those acts as pirates, and punished with death.

II. The commanders or masters, mates and sailors, and all other persons of whatever nation, who are found conveying, transporting, buying or selling, Africans as slaves, provided they are met with in the ports, bays, creeks, roads, rivers, and coasts of Colombia, within the waters of her jurisdiction, shall also be held and tried as pirates, and punished with death.

III. Every national or foreign vessel found off the coast of Colombia, within the waters of her jurisdiction, or in her ports, roads, bays, creeks, and rivers, having on board slaves, not domestics or personal servants, proceeding from the West India Islands or any other part not Africa, shall be confiscated, together with the cargo belonging to the offender. The commander or master of the vessel, the owner thereof, if on board, or not, provided he is a Colombian, and has engaged the vessel in the Slave Trade, the supercargo to whom is committed the sale or the purchase of such slaves, and whoever may be employed on his account in this traffic, shall be condemned to 10 years of hard labour.

IV. From what is ordained in the preceding Article, it must not be understood that the trade and transfer from one port to another of Colombia, of slaves existing therein, is prohibited, whether effected for the purpose of sale, or any other, provided the prohibition contained in Article V of the Law of the 21st of July, 1821, is not contravened.

V. The President of the Republic is authorized, in virtue of this law, to defray the expenses requisite to send from the territory of Colombia such slaves as may be imported in prizes, if he should think fit to do so; but whether he order them to leave Colombia, or permit them to remain therein, he shall emancipate them.

VI. The cognizance of offences mentioned in this law belongs to the Courts and Tribunals of Marine, which shall proceed to the condemnation and the execution of the sentence in the same manner as in prosecutions against pirates.

VII. The present law shall have effect from 1 year after its publication in the capital of the Republic, with regard to foreign vessels; and after 6 months reckoned in like manner with regard to national vessels which infringe this law.

Done at Bogotá, on the 14th of February, 1825-15.

LUIS A. BARALT, *President of the Senate.*

MANUEL MARIA QUIJANO, *President of the
Chamber of Representatives.*

ANTONIO JOSE CARO, *Secretary of the Senate.*

VICENTE DEL CASTILLO, *Deputy Secretary.*

Palace of the Government at Bogotá, the 18th of February, 1825-15.

Let it be executed,

FRANCISCO DE PAULA SANTANDER.

CONVENTION ADDITIONNELLE au Traité de Commerce et de Navigation, entre les Pays-Bas et la Grèce, du $\frac{1}{2}$ ⁹ Février, 1843.—Conclue à Athènes, le $\frac{1}{3}$ ⁸ Juin, 1851.*

SA Majesté le Roi des Pays-Bas, d'une part, et Sa Majesté le Roi de Grèce, d'autre part, dans le but d'étendre encore les relations de commerce et de navigation existant déjà entre Leurs Etats, ayant jugé utile de conclure une Convention Additionnelle au Traité de Commerce et de Navigation du $\frac{1}{2}$ ⁹ Février, 1843, ont muni, à cet effet, de leurs pleins-pouvoirs :

Sa Majesté le Roi des Pays-Bas, le Sieur C. C. Travers, son Consul-Général en Grèce, Chevalier, &c. ;

Et Sa Majesté le Roi de Grèce, le Sieur Pierre Delijanni, Membre de la Chambre des Députés, Chevalier, &c. ;

Lesquels, après s'être communiqué leurs pleins-pouvoirs, trouvés en bonne et due forme, sont convenus des Articles suivants :

ART. I. Les 2 Hautes Parties Contractantes consentent à ce que les avantages accordés par les Articles VI et VII du Traité du $\frac{1}{2}$ ⁹ Février, 1843, aux navires respectifs, lors de la navigation directe entre les 2 Royaumes, soient également appliqués aux navires Néerlandais qui d'un port, non situé dans le Royaume des Pays-Bas, arrivent dans un port Grec, et aux navires Grecs qui d'un port, non situé dans le Royaume de la Grèce, arrivent dans un port Néerlandais, comme aussi réciproquement aux navires sous pavillon Néerlandais ou Grec qui partent d'un port de l'autre Etat pour se rendre dans un port étranger.

II. Il est également convenu que le traitement à l'égal de la nation la plus favorisée, stipulé par les Articles II et XI du même Traité, sera remplacé, pour tous les rapports qui y sont mentionnés, par le traitement à l'égal des nationaux, de sorte que, sous tous ces rapports, on sera assimilé de part et d'autre aux nationaux.

III. Sa Majesté le Roi des Pays-Bas s'engage à accorder le traitement sur le pied des bâtiments nationaux aux bâtiments Grecs et leurs importations et exportations, dans les colonies et autres possessions des Pays-Bas hors de l'Europe. Toutefois le cabotage des Indes Néerlandaises demeure réservé au pavillon national.

En retour Sa Majesté le Roi de la Grèce s'engage à ne point percevoir sur les produits des colonies Néerlandaises un droit plus élevé que celui imposé aux produits exotiques similaires d'autre provenance, et à ne point grever les produits de l'Asie, de l'Amérique, de l'Afrique et de l'Australie, importés des ports Néerlandais, d'un droit plus fort que le droit imposé sur ces mêmes produits importés d'un autre port quelconque.

IV. En conséquence des dispositions de l'Article premier ci-dessus, le second alinea de l'Article Septième y mentionné ne trouve plus d'application, aussi longtemps que la présente Convention sera en vigueur.

V. La présente Convention aura la même durée que le Traité du $\frac{10}{22}$ Février, 1843, auquel elle se rapporte, et les ratifications en seront échangées à Athènes dans les 3 mois à dater de la signature, ou plus tôt si faire se peut.

En foi de quoi les Plénipotentiaires respectifs des 2 Hautes Parties Contractantes ont signé la présente Convention et y ont apposé le cachet de leurs armes.

Fait à Athènes, le $\frac{18}{30}$ Juin, de l'an de grâce 1851.

(L.S.) C. C. TRAVERS.

(L.S.) P. DELIJANNI.

TRAITE de Commerce et de Navigation, entre les Pays-Bas et la Sardaigne.—Signé à la Haye, le 24 Juin, 1851.

[Ratifications échangées à la Haye, le 25 Août, 1851.]

Au nom de la très-Sainte et Indivisible Trinité.

SA Majesté le Roi des Pays-Bas et Sa Majesté le Roi de Sardaigne, désirant donner aux relations commerciales entre les pays que la Providence a placés sous leur tutelle, tout le développement dont elles sont susceptibles, et persuadés qu'un but aussi utile ne saurait être atteint qu'en faisant disparaître tous les obstacles qui peuvent entraver le commerce et la navigation, ont résolu d'assurer réciproquement par un Traité, dans toute leur étendue et dans toutes leurs conséquences, à leurs populations, les bienfaits dérivant des actes législatifs, adoptés l'un dans les Pays-Bas, le 8 Août, 1850, et l'autre en Sardaigne, le 6 Juillet de la même année, pour l'abolition des droits différentiels, et ont nommé à cet effet Leurs Plénipotentiaires, savoir :

Sa Majesté le Roi des Pays-Bas le Sieur Herman van Sonsbeeck, Chevalier de l'Ordre du Lion Néerlandais, Grand' Croix de l'Ordre de l'Etoile Polaire de Suède, son Ministre des Affaires Etrangères, et

Sa Majesté le Roi de Sardaigne, le Comte Albert Lupi de Moirano de Montalto, Commandeur de son Ordre Religieux et Militaire de Saint Maurice et Saint Lazare, et de celui du Lion Néerlandais, son Envoyé Extraordinaire et Ministre Plénipotentiaire près de Sa Majesté le Roi des Pays-Bas ;

Lesquels, après avoir échangé leurs pleins-pouvoirs, trouvés en bonne et due forme, sont convenus des Articles suivants :

ART. I. Il y aura liberté réciproque de commerce entre tous les Etats des Hautes Parties Contractantes ; et les sujets de chacune d'elles, dans toute l'extension des territoires de l'autre, jouiront des mêmes droits, privilèges, libertés, faveurs, immunités et exemptions, en matière de commerce, dont jouissent ou jouiront les nationaux.

II. Toutes les marchandises et objets de commerce, soit productions du sol ou de l'industrie du Royaume de Sardaigne, soit de tout autre pays, d'ont l'importation dans les ports du Royaume des Pays-Bas, ses colonies et possessions, est ou sera légalement permise sur des bâtimens Néerlandais, pourront également y être importés sur des bâtimens Sardes, sans être assujettis à d'autres ou à de plus forts droits, de quelque dénomination que ce soit, que si les mêmes marchandises ou productions avaient été importées sur des bâtimens Néerlandais ; et réciproquement, toutes les marchandises et objets de commerce, soit productions du sol ou de l'industrie du Royaume des Pays-Bas, ses colonies et possessions, soit de toute autre pays, dont l'importation dans le Royaume de Sardaigne est ou sera légalement permise sur des bâtimens Sardes, pourront également y être importés sur des bâtimens Néerlandais, sans être assujettis à d'autres ou à de plus forts droits, de quelque dénomination que ce soit, que si les mêmes marchandises ou productions avaient été importées sur des bâtimens Sardes.

Cette égalité de traitement réciproque sera appliquée indistinctement, soit que ces marchandises arrivent directement de l'endroit de production, soit qu'elles arrivent d'un autre endroit quelconque.

D'ailleurs il est entendu que les produits des colonies Néerlandaises ne seront pas imposés plus fortement dans le Royaume de Sardaigne que les produits similaires d'une autre provenance, et que les produits exotiques, importés d'un port Néerlandais dans un port Sarde, ne seront pas imposés plus fortement que les mêmes produits importés d'un autre port quelconque.

III. La même égalité de traitement réciproque aura lieu pour tout ce qui a trait aux exportations et transits, sans distinction de provenance ou de destination, et pour tout ce qui a égard aux primes, facilités et restitutions de droits que la législation des deux pays a établis ou pourrait établir par la suite.

IV. Sa Majesté le Roi des Pays-Bas prend l'engagement, que le commerce des sujets Sardes dans les Etats Néerlandais ne subisse aucune interruption, ou ne puisse en aucune manière être atteint par le fait de quelque monopole, contrat ou privilège exclusif de vente ou d'achat quelconque, de manière à ce que les sujets Sardes aient faculté pleine et entière de vendre et d'acheter partout où il leur plaira, et en toutes formes jugées les plus convenables par le

vendeur et l'acheteur, et sans être obligés de subir aucune conséquence de quelque monopole, contrat ou privilège exclusif de vente ou d'achat; à l'exception toutefois des monopoles actuellement existants dans les colonies et possessions Néerlandaises aux Indes Orientales, par rapport à l'importation et à la vente de l'opium et du sel, et sauf le contrat existant entre le Gouvernement et la société dite *Nederlandsche Handelmaatschappij*, relatif au transport et à la vente des produits coloniaux, la propriété du Gouvernement des Pays Bas; et Sa Majesté le Roi de Sardaigne s'engage à ce que semblable affranchissement de toute gêne relative aux ventes ou achats soit garanti aux sujets Néerlandais dans les Etats Sardes, à l'exception des monopoles actuels de la Couronne, de tabac, de sel, de poudre, de plombs de chasse et de guerre, et de cartes à jouer.

V. Aucun droit de tonnage, de port, de phare, de pilotage, de quarantaine ou autres droits semblables ou équivalents, de quelque nature ou sous quelque dénomination que ce soit, perçu au nom ou au profit du Gouvernement, de fonctionnaires publics, de communes, corporations ou établissements quelconques, ne sera imposé dans les ports de chacun des 2 pays sur les navires de l'autre nation, arrivant d'un port ou endroit quelconque, qui ne sera pas également imposé en pareil cas sur les navires nationaux; et dans chacun des 2 pays aucun droit, charge, restriction ou prohibition ne sera imposé, ni aucun remboursement de droit, prime ou avantage ne sera refusé à aucune marchandise importée dans, ou exportée de ces mêmes pays, sur des navires de l'autre, qui ne soit également imposé sur ces mêmes marchandises, ou refusé à ces mêmes marchandises, importées ou exportées sur des navires nationaux.

VI. Seront complètement affranchis des droits de tonnage et d'expédition:

1°. Les navires qui, entrés sur lest de quelque lieu que ce soit, repartiront sur lest;

2°. Les navires qui, passant d'un port de l'un des 2 Etats dans un ou plusieurs ports du même Etat, soit pour y déposer tout ou partie de leur cargaison, soit pour y composer ou compléter leur chargement, justifieront avoir déjà acquitté ces droits;

3°. Les navires qui, entrés avec chargement dans un port, soit volontairement, soit en relâche forcée, en sortiront sans avoir fait des opérations de commerce.

Ne seront pas considérés, en cas de relâche forcée, comme opérations de commerce, le débarquement et le rechargement des marchandises pour la réparation du navire, le transbordement sur un autre navire en cas d'innavigabilité du premier, les dépenses nécessaires au ravitaillement de l'équipage, et la vente des marchandises avariées, lorsque l'administration des douanes en aura donné l'autorisation.

VII. Tous les navires qui d'après les lois du Royaume des Pays-Bas sont considérés comme navires Néerlandais, et tous les navires qui d'après les lois du Royaume de Sardaigne sont considérés comme navires Sardes, seront, quant aux effets du présent Traité, déclarés respectivement navires Néerlandais et Sardes.

VIII. En tout ce qui concerne le placement des navires, leur chargement et déchargement dans les ports, bassins, docks, rades, havres ou rivières des 2 Etats, il ne sera accordé aucun privilège aux navires nationaux, qui ne le soit également à ceux de l'autre Etat ; la volonté des Parties Contractantes étant que, sous ce rapport aussi, les bâtimens respectifs soient Traités sur le pied d'une parfaite réciprocité.

IX. Les bâtimens de l'un des 2 Etats pourront décharger en totalité leur cargaison dans un des ports des Etats de l'autre Haute Partie Contractante, ou décharger une partie de leur cargaison dans un port et se rendre ensuite avec le reste dans les autres ports du même Etat, ou ailleurs, selon que le capitaine, propriétaire ou telle autre personne qui serait dûment autorisée dans le port à agir dans l'intérêt du bâtiment ou de la cargaison, le jugera convenable.

X. Il est expressément entendu que les articles précédents ne sont pas applicables, ni à la pêche, ni au commerce de cabotage, que chaque Partie Contractante se réserve à elle-même et réglera d'après ses propres lois.

XI. S'il arrivait que quelque vaisseau de guerre ou navire marchand de l'un des 2 Etats fit naufrage sur les côtes de l'autre, ce bâtiment, ou ses parties ou débris, ses agrès et tous les objets qui y appartiendront, ainsi que tous les effets et marchandises qui en auront été sauvés, ou le produit de leur vente, en seront fidèlement rendus aux propriétaires ou à leurs ayants-droit, sur leur réclamation. Dans le cas où ceux-ci se trouveraient absents, les dits objets, marchandises, ou leurs produits, seront consignés, ainsi que tous les papiers trouvés à bord de ce bâtiment, au consul Néerlandais ou Sarde dans le district duquel le naufrage aura eu lieu, et il ne sera exigé, soit du consul, soit des propriétaires ou ayants-droit, que le payement des dépenses pour la conservation de la propriété, ainsi que les droits de sauvetage qui seraient également payés en pareille circonstance, par un bâtiment national. Les marchandises et effets sauvés du naufrage ne seront assujettis aux droits établis qu'autant qu'ils seraient déclarés pour la consommation.

XII. La Sardaigne accorde au Royaume des Pays-Bas les réductions de douane stipulées entre la Sardaigne et la Belgique, par le Traité conclu avec cette Puissance à Turin, le 24 Janvier, 1851, et qui se trouvent spécifiées dans le Tableau A, annexé au présent Traité ; les réductions de douane accordées à la France, par la Convention du 20 Mai, 1851, sur les tissus de soie et sur les livres,—et

en outre, pour les fromages de Hollande, une réduction d'un quart de chiffre actuel du tarif.

En compensation les Pays-Bas accordent au Royaume de Sardaigne les diminutions du droit d'entrée qui ont été concédées respectivement à la France et au Royaume des 2 Siciles, par les Traités signés par les Pays-Bas avec ces Puissances, le 25 Juillet, 1840,* et le 17 Novembre, 1847,† sur le vin et sur les huiles d'olive, et qui se trouvent spécifiées dans le Tableau B, également annexé au présent Traité, et en outre une diminution du quart du chiffre actuel sur les fruits confits au sucre, sur les succades, sur le vermicel, et autres pâtes analogues.

Les réductions des droits de douane sur les articles mentionnés dans ces Tableaux A et B, seront censées avoir pris cours à dater du 1er Juin, 1851, et le surplus du droit qui aurait été perçu depuis cette époque sera restitué.

XIII. En tout ce qui concerne les droits de douane et de navigation, les 2 Hautes Parties Contractantes s'obligent et s'engagent à ce que tout privilège, faveur ou immunité que chacune d'elles viendra à accorder à tout autre Etat, sera aussi et à l'instant étendu à leurs sujets respectifs, gratuitement si la concession en faveur de l'autre Etat est gratuite, ou en donnant une compensation, autant que possible de valeur et effet équivalent, à fixer de commun accord, si la concession est conditionnelle.

Il en sera de même pour les faveurs ou immunités que les Hautes Parties Contractantes pourraient accorder à tout autre Etat, quant au transport de marchandises sur les chemins de fer établis ou à établir dans les Etats respectifs.

XIV. Les Agents Consulaires Néerlandais dans les Etats Sardes jouiront de tous les privilèges, exemptions et immunités dont jouissent les agents de même qualité de la nation la plus favorisée; il en sera de même dans les Pays-Bas pour les Agents Consulaires de Sardaigne.

XV. Les Consuls respectifs pourront faire arrêter et renvoyer soit à bord, soit dans leur pays, les matelots qui auraient déserté des bâtiments de leur nation dans un des ports de l'autre.

A cet effet ils s'adresseront par écrit aux autorités locales compétentes, et justifieront par l'exhibition en original ou en copie, dûment certifiée, des registres du bâtiment ou du rôle d'équipage, ou par d'autres documents officiels, que les individus qu'ils réclament faisaient partie du dit équipage. Sur cette demande, ainsi justifiée, il leur sera donné toute aide pour la recherche et l'arrestation des dits déserteurs, qui seront même détenus et gardés dans les maisons d'arrêt du pays, à la réquisition et aux frais des Consuls, jusqu'à ce que ces agents aient trouvé une occasion de les faire partir. Si pourtant cette occasion ne se présentait pas dans le délai de 2 mois,

* Vol. XXIX. Page 1169.

† Vol. XXXVII. Page 293.

à compter du jour de l'arrestation, les déserteurs seraient mis en liberté et ne pourraient plus être arrêtés pour la même cause.

Il est entendu que les marins, sujets de l'autre partie, seront exceptés de la présente disposition, à moins qu'ils ne soient naturalisés citoyens de l'autre pays.

Si le déserteur avait commis quelque délit, il ne sera mis à la disposition du Consul qu'après que le tribunal qui a droit d'en connaître, ait rendu son jugement, et que celui-ci ait eu son effet.

XVI. Les sujets de chacune des Hautes Parties Contractantes pourront disposer librement par testament, donation ou autrement, de tous les biens qu'ils auraient pu acquérir et posséder légalement dans les Etats de l'autre, et ceux qui les représentent d'après les lois, quoique sujets de l'autre Partie Contractante, pourront hériter de ces propriétés, soit par testament, soit *ab intestato*, et ils pourront, dans les termes fixés par la loi, en prendre possession par eux-mêmes ou par des personnes agissant en leur nom ; ils en disposeront à leur gré, sans être assujettis à des retenues ou à des impositions autres ou plus fortes que celles établis ou à établir dans ces cas ou circonstances sur les nationaux.

Dans le cas d'absence des héritiers, on devra suivre la même règle qui en semblable cas est prescrite à l'égard des propriétés des natifs du pays, jusqu'à ce que les ayants-droit aient fait les arrangements nécessaires pour en prendre possession.

Si des contestations s'élevaient entre les divers postulants au sujet du droit qu'ils auraient à ces propriétés, elles devront être résolues par les juges, suivant les lois du pays où les propriétés sont situées, et sans autre appel que celui prévu par les mêmes lois.

XVII. Les sujets de l'une des Hautes Parties Contractantes, résidant dans les Etats de l'autre, seront respectivement libres de régler comme les nationaux les affaires par eux-mêmes, ou de les confier aux soins de toute autre personne, telles que courtiers, facteurs, agents ou interprètes ; ils ne pourront être contraints dans leur choix, et ils ne seront tenus à payer aucun salaire ni aucune rétribution à ceux qu'ils n'auront pas jugé à propos d'employer à cet effet ; étant absolument facultatif aux vendeurs et acheteurs de contracter ensemble leur marché, et de fixer le prix de toutes denrées ou marchandises, importées ou destinées à l'exportation, sous la condition de se conformer aux réglemens et aux lois du pays.

XVIII. Les stipulations du présent Traité remplaceront celles du Traité conclu à Turin entre les Hautes Parties Contractantes le 24 Janvier, 1842.*

Le présent Traité sera en vigueur pendant 12 ans, à compter de la date de l'échange des ratifications, et au-delà de ce terme, jusqu'à l'expiration de 12 mois après que l'une des 2 Parties Con-

tractantes aura annoncé à l'autre son intention de la faire cesser; chacune des Parties se réservant le droit de faire à l'autre une telle déclaration au bout des 12 ans susmentionnés ou à toute date ultérieure.

XIX. Le présent Traité sera ratifié et les ratifications en seront échangées à la Haye, le plus tôt possible, dans l'espace de 2 mois, à compter du jour de la signature.

En foi de quoi, les Plénipotentiaires respectifs l'ont signé et y ont apposé le cachet de leurs armes.

Fait à la Haye, le 24 Juin, de l'an de grâce, 1851.

(L.S.) VAN SONSBEECK.

(L.S.) DE MONTALTO.

TABLEAU A.

Les marchandises suivantes, originaires des Pays-Bays et importées dans les Etats Sardes, sans distinction du pavillon sous lequel cette importation a lieu, ni du port d'où les marchandises arrivent, jouiront, à l'entrée dans ces états, des réductions de droits ci-après indiquées :

Zinc, en plaques, en barres ou en saumons (toutenagues), zinc laminé, réduction de moitié des droits actuels.

Cuivre, en pains, en rosettes, en fonds de chaudière, en plaque, cuivre ouvré et non ferré, même réduction.

Fers, fonte ouvrée simple, coussinets pour chemins de fer, fr. 8.00 au lieu de fr. 15.00 les 100 kilogrammes. Fonte, garnie d'autre métaux, fr. 12.00 au lieu de fr. 25.00. Fer de première fabrication, rails, fr. 10.00 au lieu de fr. 16.00; de seconde fabrication fr. 15.00 au lieu de fr. 30.00; garni d'autres métaux, fr. 20.00 au lieu de fr. 40.00; ancres, canons, fr. 10.00 au lieu de fr. 20.00; instruments propres aux arts mécaniques, fr. 12.50 au lieu de fr. 25.00; clous de toute espèce, chevilles, &c. fr. 12.50 au lieu de fr. 25.00 et de fr. 70.00; machines et mécaniques, fr. 5.00 au lieu de fr. 10.00; faux, faucilles ou serpettes, fers à repasser, &c. fr. 12.50 au lieu de fr. 25.00; enclumes, massues, socs de charrue, fr. 10.00 au lieu de fr. 20.00; ressorts de voitures et similaires, fr. 30.00 au lieu de fr. 60.00; vis de fers de toute espèce, fr. 12.50 au lieu de 25.00; fils de fer, fr. 10.00 au lieu de fr. 20.00 par 200 kilogrammes.

Armes, blanches de toute espèce, réduction de moitié; canons de fusils de chasse, fr. 1.00 au lieu de fr. 2.00 la pièce; canons de pistolets, fr. 0.35 au lieu de fr. 0.75 la pièce.

Verres et Cristaux, miroirs de toute dimension non montés, fr. 25.00 au lieu de fr. 60.00 les 100 kilogrammes; cristaux de toute espèce, fr. 15.00 au lieu de fr. 40.00 par les 100 kilogrammes; glaces et verres à vitre, fr. 15.00 au lieu de 25.00 par 100 kilogrammes; verre ouvré de toute espèce, fr. 15.00 au lieu de fr. 18.00 par 100 kilogrammes; bouteilles d'un litre et au-dessus, demi-bouteilles, dame-

jeannes sans distinction de capacité, bouteilles nommés fiaschi, réduction de moitié.

Porcelaine, en couleur ou dorée, fr. 30.00 au lieu de fr. 50.00; blanche, fr. 25.00 par 100 kilogrammes; poterie de terre ordinaire, fr. 3.00 au lieu de fr. 4.00 par 100 kilogrammes; faïence en ouvrages divers, blanche, fr. 8.00 au lieu de fr. 12.00; peinte, dorée ou coloriée fr. 12.00 au lieu de fr. 20.00.

Papier, de pâte, de couleur et blanc de toute qualité, fr. 30.00 au lieu de fr. 50.00 les 100 kilogrammes; colorié ou doré, fr. 40.00 au lieu de fr. 65.00; imprimé dessiné ou peint, pour tenture, fr. 50.00 au lieu de fr. 100.00; brouillard, fr. 20.00 au lieu de fr. 50.00; grossier pour envelopper, fr. 10.00 au lieu de fr. 20.00.

Livres, en feuilles ou brochés, fr. 30.00 au lieu de fr. 50.00 par 100 kilogrammes; reliés en carton, &c. fr. 60.00 au lieu de fr. 100.00.

Sucre raffiné, de toute espèce, fr. 25.00 au lieu de fr. 45.00 les 100 kilogrammes.

Cuir et peaux préparés, fr. 66.66 au lieu de fr. 100.00; peaux chamoisées, fr. 75.00 au lieu de fr. 150.00

Fils de laine ou de poil quelconque, blancs ou naturels, fr. 0.60 au lieu de fr. 1.10 le kilogramme; teints fr. 0.80 au lieu de fr. 1.60.

Tissus de laine, foulés et drapés ou non, de la valeur de fr. 10.00 par mètre, et au dessus, y compris les similaires, tels que casimirs, &c. fr. 3.00 le kilogramme, au lieu de fr. 3.30, avec suppression des 10 p.c. à la valeur; de moins de fr. 10.00 par mètre, fr. 2.00 au lieu de fr. 4.50.

Tapis et couvertures de bourre de laine, lambeaux et lisières de drap, fr. 1.00 au lieu de fr. 2.00 le kilogramme; de toute autre qualité, fr. 1.00 au lieu de fr. 3.00.

Lin, teillé ou peigné, réduction de moitié.

Fil de lin et de chanvre de toute qualité, même réduction.

Tissus de lin ou de chanvre, écrus ou blanchis, même mélangés de coton ou de laine, croisés ou autrement ouvragés, écrus, blanchis ou mélangés de blanc, même réduction.

Dentelles de toutes qualités, même réduction.

Fils de coton, inférieur au No. 20, fr. 0.20 au lieu de fr. 0.90; du No. 20 au No. 40, fr. 0.40 au lieu de fr. 0.90; du No. 40 au No. 60 fr. 0.60 au lieu de fr. 0.75; d'un numéro supérieur fr. 0.75.

Retords de toute qualité fr. 0.75 au lieu de fr. 1.20; blanchis ou teints de toute qualité, fr. 0.80 au lieu de fr. 1.80.

Tissus de coton, même mélangés de fil ou de laine, unis, croisés ou autrement ouvragés, écrus, blanchis, en couleur ou teints, imprimés &c. réduction de moitié.

Morue, réduction de 25 p.c.

Le droit à la sortie sur les marchandises suivantes, dirigées des Etats Sardes vers les Pays-Bas, sera réduit, savoir :

Celui sur les soies grèges à fr. 1.50 ;
 Celui sur les peaux brutes d'agneaux à fr. 15.00 ;
 Sur les peaux de chevreaux à fr. 30.00.

TABLEAU B.

Les marchandises suivantes, originaires des Etats Sardes et importées dans les Pays-Bas, sans distinction du pavillon sous lequel cette importation a lieu, ni du port d'où les marchandises arrivent, jouiront, à l'entrée dans ce Royaume, des réductions de droits ci-après indiquées :

Les droits actuellement existants dans les colonies Néerlandaises des Indes Orientales sur les vins Sardes, soit en cercles, soit en bouteilles, sont réduits de moitié ;

Les vins de Sardaigne, en cercles, sont affranchis de tout droit de douane à l'entrée dans les ports Néerlandais en Europe, et les droits actuels sont réduits de $\frac{2}{3}$ mes pour les vins en bouteilles ;

Les huiles d'olive jouissent d'une réduction de 50 cents sur le droit établi par le tarif de douane.

TRAITE de Commerce et de Navigation, entre les Pays-Bas et la Belgique.—Signé à la Haye, le 20 Septembre, 1851.

[Ratifications échangées à la Haye, le 31 Janvier, 1852.]

[Au nom de la très Sainte et Indivisible Trinité.]

SA Majesté le Roi des Pays-Bas, d'une part, et Sa Majesté le Roi des Belges, d'autre part, voulant, par un Traité nouveau, consolider les relations de commerce et de navigation entre Leurs Etats respectifs et fortifier les rapports de bonne intelligence si heureusement établis entre les 2 pays, ont résolu d'entrer en négociation et ont désigné, à cet effet, pour Leurs Plenipotentiaires, savoir :

Sa Majesté le Roi des Pays-Bas, le Sieur Herman van Sonsbeeck, Chevalier, &c. ; Son Ministre des Affaires Etrangères ;

Le Sieur Pierre Philip van Bosse, Commandeur, de l'Ordre du Lion Néerlandais, &c., Son Ministre des Finances, et

Le Sieur Charles Ferdinand Pahud, Chevalier, &c., Son Ministre des Colonies.

Et Sa Majesté le Roi des Belges, le Lieutenant-Général Baron Wilmar, Commandeur, &c., Son Aide-de-Camp et Son Envoyé Extraordinaire et Ministre Plénipotentiaire près la Cour des Pays-Bas, et

Le Sieur Charles Liedts, Commandeur, &c., Son Ministre d'Etat et Son Gouverneur de la Province de Brabant, en Mission Extraordinaire près la Cour des Pays-Bas.

Lesquels, après avoir échangé leurs pleins-pouvoirs, trouvés en bonne et due forme, ont arrêté les Articles suivants :

ART. I. Il y aura pleine et entière liberté de commerce entre les habitants des 2 royaumes, en ce sens que les mêmes facilités, sécurité et protection, dont jouissent les nationaux, sont garanties des 2 parts.

En conséquence, les sujets respectifs ne payeront point à raison de leur commerce ou de leur industrie, dans les ports, villes ou lieux quelconques des 2 Etats, soit qu'ils s'y établissent, soit qu'ils y résident ou séjournent temporairement, des droits, taxes et impôts, autres ou plus élevés que ceux qui se percevront sur les nationaux ; et les privilèges, immunités et autres faveurs, dont jouiront en matière de commerce ou d'industrie les habitants de l'un des 2 royaumes, seront communs à ceux de l'autre.

II. Les navires de l'un des 2 Etats, qu'ils se trouvent sur lest ou sous chargement, et quel que soit le lieu d'où ils arrivent ou vers lequel ils sont expédiés, soit à l'intérieur du pays, soit au-dehors, tant par mer que par rivières ou canaux, ne seront assujettis dans l'autre Etat à des droits de tonnage, de port, de pilotage, de basilage, d'ancrage, de remorque, de fanal, d'écluse, de canaux, de quarantaine, de sauvetage, d'entrepôt, de patente, de navigation, de péage, enfin à des droits ou charges de quelque nature ou dénomination que ce soit, perçus ou établis au nom et au profit du Gouvernement, de fonctionnaires publics, de communes ou d'établissements quelconques, autres que ceux qui sont actuellement ou pourront par la suite être imposés aux bâtimens nationaux, sans préjudice, toutefois, des stipulations de l'Article XLI du Traité conclu entre les Hautes Parties Contractantes le 5 Novembre, 1842.*

Les restitutions de droits de même nature, qui sont ou seraient accordées dans l'un des 2 Etats aux navires nationaux, seront également accordées aux navires de l'autre Etat.

Les dispositions qui précèdent ne dérogent pas à l'exemption des droits de tonnage et autres faveurs spéciales de même nature, dont jouissent dans chaque Etat les navires employés à la pêche nationale.

III. En ce qui concerne le placement des navires, leur chargement ou déchargement dans les ports, rades, havres et bassins, et généralement pour toutes les formalités et dispositions quelconques auxquelles peuvent être soumis les navires de commerce, leur équipage et leur chargement, il ne sera accordé dans l'un des 2 Etats, aux navires nationaux, aucun privilège ni aucune faveur qui ne le soit également aux navires de l'autre Etat, la volonté des

Hautes Parties Contractantes étant que, sous ce rapport aussi, leurs bâtimens soient Traités sur le pied d'une parfaite égalité.

IV. Tous les produits et autres objets de commerce, dont l'importation ou l'exportation pourra légalement avoir lieu dans les Etats des Hautes Parties Contractantes par navires nationaux, pourront également y être importés ou en être exportés par des navires appartenant à l'autre Partie Contractante.

Les marchandises importées dans les ports des Pays-Bas ou de Belgique, par navires de l'une ou de l'autre Partie Contractante, pourront y être destinées à la consommation, au transit ou à la ré-exportation, ou enfin être mises en entrepôt au gré du propriétaire ou de ses ayants-cause, le tout aux mêmes conditions et sans être assujetties à des droits de magasinage, de surveillance ou autres de cette nature plus forts que ceux auxquels seront soumises les marchandises apportées par navires nationaux.

V. Les navires de l'une des Hautes Parties Contractantes qui, entrés dans un des ports de l'autre, en sortiront sans avoir fait aucune operation de commerce, seront exempts du droit de tonnage.

En cas de relâche forcée, ne seront pas considérés comme opération de commerce, le débarquement et le rechargement des marchandises pour la réparation du navire, le transbordement sur un autre navire en cas d'innavigabilité du premier, les dépenses nécessaires au ravitaillement de l'équipage, et la vente des marchandises avariées, lorsque l'administration des douanes en aura donné l'autorisation.

VI. Les navires Belges entrant dans un des ports des Pays-Bas, et les navires Néerlandais entrant dans un des ports de Belgique, et qui n'y voudraient décharger qu'une partie de leur cargaison, pourront, en se conformant aux lois et règlements des Etats respectifs, conserver à leur bord la partie de la cargaison qui serait destinée à un autre port, soit du même pays, soit d'un autre, et la réexporter, sans être astreints à payer pour cette partie de la cargaison aucun droit de douane, sauf les frais de surveillance.

VII. En cas d'échouement ou de naufrage d'un navire de l'une des Hautes Parties Contractantes dans les Etats de l'autre, il sera prêté toute aide et assistance au capitaine et à l'équipage, tant pour les personnes que pour le navire et sa cargaison.

Les opérations relatives au sauvetage auront lieu conformément aux lois du pays, et il ne sera pas payé de frais de sauvetage plus forts que ceux auxquels les nationaux seraient tenus en pareil cas.

Les marchandises sauvées ne seront soumises à aucun droit, à moins qu'elles ne soient livrées à la consommation.

VIII. Les consuls respectifs pourront faire arrêter et renvoyer, soit à bord, soit dans leur pays, les matelots qui auraient déserté des bâtimens de leur nation dans le pays de l'autre.

A cet effet, ils s'adresseront par écrit aux autorités compétentes et justifieront, par l'exhibition en original ou en copie dûment certifiée des registres du bâtiment ou des rôles d'équipage, ou par d'autres documents officiels, que les individus réclamés faisaient partie du dit équipage. Sur cette demande, ainsi justifiée, la remise ne pourra leur être refusée.

Il leur sera donné toute aide pour la recherche et l'arrestation des dits déserteurs, qui seront détenus dans les maisons d'arrêt du pays à la réquisition et aux frais des consuls, jusqu'à ce que ces agents aient trouvé une occasion de les faire partir.

Si cette occasion ne se présente pas dans un délai de 2 mois, à compter du jour de l'arrestation, les déserteurs seront mis en liberté et ne pourront plus être arrêtés pour la même cause.

Si le déserteur a commis quelque délit, il ne sera mis à la disposition du consul qu'après que le tribunal qui a droit d'en connaître aura rendu son jugement et que celui-ci aura eu son effet.

Il est entendu que les marins, sujets du pays où la désertion a lieu, sont exceptés des dispositions qui précèdent.

IX. La nationalité des bâtiments sera admise de part et d'autre d'après les lois et règlements particuliers à chaque pays, au moyen des titres et patentes délivrés par les autorités compétentes aux capitaines, patrons et bateliers.

X. Les embarcations Belges qui importent de la houille, par les canaux et rivières conduisant de Belgique dans les Pays-Bas, jouiront des facilités de toute espèce qui sont ou pourront être accordées aux navires qui font les mêmes importations par le Rhin ou par toute autre voie.

XI. Les droits de navigation sur le canal de Terneuzen et sur le canal de Maestricht à Bois-le-Duc, tels qu'ils ont été fixés respectivement par l'Article I du règlement d'Anvers du 20 Mai, 1843* et par l'Article XI du Traité du 29 Juillet, 1846,† sont réduits de 50 p.c. dans les 2 Etats.

XII. Les Hautes Parties Contractantes s'assurent le régime le plus favorable pour le transit par leurs Etats respectifs.

Le passage en Belgique par les chemins de fer de l'Etat et leur prolongement éventuel jusqu'à la frontière Néerlandaise, aura lieu en franchise de droits de transit pour toutes les marchandises expédiées des Pays-Bas, à l'exception des fers, des houilles, des poudres et des fils et tissus de lin ou de chanvre.

Les marchandises de provenance Néerlandaise, sortant de l'entrepôt de libre navigation de la Meuse, à Liège, pourront transiter en franchise de droit par le chemin de fer de l'Etat.

Le transport du bétail dirigé des bureaux de Westwezel, de Selzaete et de Fourn-St.-Martin, respectivement sur les stations du

* Vol. XXXVII. Page 1249.

† Vol. XXXV. Page 1222.

railway à Anvers, à Gand et à Verviers sera assimilé, quant à la franchise des droits de transit, aux transports par le chemin de fer de l'Etat.

Il en sera de même pour le transport du poisson de mer frais du bureau de Westwezel à la station d'Anvers, en cas d'innavigabilité des eaux intérieures à cause des glaces. Ces transports sont soumis aux formalités applicables au transit par les voies autres que le chemin de fer de l'Etat.

La franchise des droits de transit s'appliquera également aux chevaux venant des Pays-Bas et transitant par d'autres voies que le chemin de fer.

Les navires employés à la navigation entre l'Escaut et le Rhin ne seront pas soumis sur les eaux intermédiaires entre ces 2 fleuves, dans le cas où ils optent pour le régime du transit ordinaire, à d'autres formalités que celles qui leur sont applicables quand ils acquittent le droit de navigation déterminé par le règlement d'Anvers du 20 Mai, 1843.

XIII. Les marchandises de toute espèce, sans distinction d'origine, importées directement des Pays-Bas en Belgique, sous pavillon Néerlandais, ou de Belgique dans les Pays-Bas, sous pavillon Belge, tant par rivières et canaux que par mer, jouiront des mêmes exemptions, restitutions, primes et autres faveurs, ne payeront respectivement d'autres droits, et ne seront assujetties à d'autres formalités, que si l'importation avait lieu sous pavillon national.

Toutefois, il est fait exception aux dispositions qui précèdent, en ce qui concerne l'importation par mer des sels, pour lesquels la Belgique n'accorde pas l'assimilation des pavillons.

Réciproquement les Pays-Bas se réservent la faculté d'établir des droits différentiels sur l'importation du sel dans les Pays-Bas sous pavillon Belge, sans que dans ce cas il y ait lieu d'appliquer le dernier paragraphe de l'Article XVI.

XIV. Les marchandises suivantes importées des Pays-Bas sous pavillon Belge ou Néerlandais, soit par mer, soit par rivières ou canaux, seront admises en Belgique, savoir :

1°. Aux droits des importations directes effectuées, sous pavillon Belge, du lieu ou selon le mode le plus privilégié par le tarif Belge :

Bois de construction, sciés et non sciés.

Boissons distillées : arack et rhum, eau de vie, genièvre et liqueurs de toute espèce, en cercles.

Cacao en fèves.

Cachou et terra japonica.

Cannelle de toute espèce et cassia lignea.

Cendres gravelées. (Potasse, perlasse et vélassé.)

Chanvre en masse, y compris les tiges ou filasses de bananier, l'aloès, le chanvre de Manille, le phormium tenax et autres filaments de même nature, non spécialement tarifés.

Cornes et bouts de cornes.

Crins bruts.

Cuir et peaux : grandes peaux brutes ou non apprêtées.

Cuir et peaux. (Rognures de).

Cuivre. (Mineral de).

Epicerie : macis, noix muscades, clous de girofle, antofles de girofle et autres non spécialement tarifées.

Etain brut.

Fanons de baleine.

Gingembre sec et confit.

Goudron.

Graines oléagineuses : de colza, de navette, de chanvre ou chènevis, de lin, de sésame, de cameline et toutes autres graines oléagineuses non spécialement tarifées, à l'exception de la graine de lin de Riga à semer.

Graisses : suifs, dégras, saindoux, &c.

Huiles de palme, de coco, de Touloucouma et d'Illipé.

Huiles de poisson de pêche étrangère :

de baleine, de chien marin, de cachalot et de spermacéti, de foie.

Indigo.

Marbre brut et en blocs ou dalles.

Miel.

Plomb brut ou en saumons et vieux plomb.

Poisson de pêche étrangère : hareng, huîtres, homards et stockfish.

Poivre et piment.

Quercitron.

Résines brutes non spécialement tarifées.

Rotins, jones, roseaux et bambous exotiques.

Sabots et déchets de sabots de bétail et de chevaux.

Salpêtre brut.

Savons durs.

Sumac (écorces, feuilles et brindilles).

Térébenthine. (Huile de).

Thés.

2°. Aux droits des importations sous pavillon étranger, immédiatement inférieurs à ceux qui lui sont applicables au terme du tarif Belge :

Coton en laine originaire de la colonie Néerlandaise de Surinam.

3°. Aux droits actuellement applicables aux importations directes des lieux transatlantiques autres que ceux de production, sous pavillon du pays d'où l'importation se fait :

Sucre brut de canne originaire des colonies Néerlandaises aux Indes Orientales.

4°. Aux droits applicables aux provenances directes des lieux de production sous pavillon Belge :

a. Avec addition de 11 p. c., une quantité annuelle de 7,394,000 kilogrammes de café originaire des colonies Néerlandaises aux Indes Orientales ;

b. Une quantité annuelle de 180,000 kilogrammes de tabacs en feuilles ou en rouleaux, originaires de pays hors d'Europe.

Il est convenu que toute autre exception que ferait la Belgique à son système de droits différentiels en faveur d'autres Etats, deviendrait commune aux Pays-Bas dans les mêmes conditions.

Il est également entendu que la différence entre les droits dus pour les provenances des Pays-Bas et les droits moins élevés du tarif actuellement en vigueur en Belgique, ne sera point augmentée pendant la durée du Traité.

La quantité de café mentionnée au § 4, lit. a, du présent Article, sera augmentée ou diminuée à la fin de chaque période quinquennale,

à compter du 1^{er} Janvier, 1849, de manière à conserver la proportion actuelle $\frac{7}{17}$ mes de la consommation moyenne en Belgique, sans qu'elle puisse toutefois descendre au-dessous du minimum de 7,000,000 de kilogrammes.

L'importation du café mentionné au § 4, lit. *a*, aura lieu par les bureaux et dans les proportions à déterminer de commun accord entre les 2 Gouvernements avant l'époque fixée pour l'échange des ratifications.

Si, au 1^{er} Novembre de chaque année, l'importation par l'un ou l'autre des bureaux à désigner, n'atteint pas les $\frac{9}{12}$ mes du chiffre qui lui aura été assigné, la différence sera reportée sur un ou plusieurs autres bureaux. La déclaration du changement apporté à la répartition primitive sera publiée dans le *Moniteur Belge*, avant le 15 Novembre.

L'importation de la quantité annuelle de tabac mentionnée au § 4, lit. *b*, se fera par le canal de Bois-le-Duc à Maestricht et par la Meuse ou le canal latéral, à l'exception d'une quantité de 20,000 kilogrammes qui pourra être importée par le bureau de Lommel.

XV. Le pavillon Néerlandais jouira en Belgique du traitement le plus favorable pour l'importation, d'ailleurs que des Pays-Bas, des marchandises comprises dans le § 1 de l'Article précédent et, en général, pour l'importation de toutes les marchandises auxquelles s'appliquent l'Article X de la Loi du 26 Août, 1822, et l'Article IV de la Loi du 21 Juillet, 1844.

Les importations des Pays-Bas par canaux et rivières sont assimilées aux arrivages par mer pour l'application des mêmes articles.

XVI. Les navires et les provenances de Belgique continueront à jouir dans les Pays-Bas de tous les avantages dont ils sont actuellement en possession aux termes des Lois du 8 Août, 1850.

Si, toutefois, les Pays-Bas, par un changement de principe dans ces lois, venaient à exiger en cette matière la complète réciprocité des autres Etats, et à établir de nouveaux droits différentiels de pavillon ou de provenance, préjudiciables au commerce ou à la navigation Belge, la Belgique pourrait retirer à la navigation et au commerce Néerlandais les avantages qui font l'objet des 2 Articles précédents.

XVII. Les objets de toute nature exportés des Pays-Bas par navires Belges ou de Belgique par navires Néerlandais, vers quelque destination que ce soit, ne payeront d'autres droits et ne seront assujettis à d'autres formalités que si l'exportation avait lieu sous pavillon national.

XVIII. Les sujets Belges et les produits du sol et de l'industrie de Belgique jouiront dans les colonies Néerlandaises de toutes les faveurs qui sont ou qui seront accordées aux sujets et aux produits de tout autre Etat Européen le plus favorisé.

Le pavillon Belge sera Traité dans ces colonies suivant le régime le plus favorable que la législation Néerlandaise permettra de lui appliquer.

Les produits des colonies Néerlandaises jouiront en Belgique de toutes les faveurs qui sont ou qui seront accordées aux produits similaires de toute autre contrée, dans les mêmes conditions d'importation, sauf l'assimilation des pavillons.

XIX. Les droits d'entrée sur les poissons de pêche nationale dénommés ci-apres, importés de l'un des 2 Etats dans l'autre sous pavillon Néerlandais ou Belge, sont réglés comme il suit, savoir :

Anchois frais, salés, fumés ou séchés :

les 100 kilogrammes fl. 1.90, dans les Pays-Bas,
fr. 4.—en Belgique.

Harengs secs, saurés, fumés, frais ou braillés et plies séchées :

les 1000 pièces fl. 2.40, dans les Pays-Bas,
fr. 5.—en Belgique.

Poissons de mer frais, jusqu'à concurrence d'une quantité annuelle et totale de 1,500,000 kilogrammes, savoir :

Poissons communs, tels que raies, flottes, plies, esturgeons :

les 100 kilogrammes fl. 2.40, dans les Pays-Bas,
fr. 5.—en Belgique.

Poissons fins, tel que turbots, barbués, soles, cabillauds, églefins, merlans, éperlans, elbots :

les 100 kilogrammes fl. 4.25, dans les Pays-Bas,
fr. 9.—en Belgique.

Morue en saumure ou au sel sec, jusqu'à concurrence d'une quantité annuelle de 2,500 tonnes :

la tonne fl. 4.70, dans les Pays-Bas,
fr. 10.—en Belgique.

Sardines fumées :

les 1000 pièces fl. 1.90, dans les Pays-Bas,
fr. 4.—en Belgique

Le droit d'entrée en Belgique est fixé à 6 francs par tonne, sans distinction de saison, sur le hareng, en saumure ou au sel sec, importé des Pays-Bas, sous pavillon Néerlandais ou Belge.

L'importation annuelle en Belgique des quantités de poissons frais et de morue admises aux droits réduits, se fera par les bureaux d'Anvers, de Gand, d'Ostende et de Westwezel, dans les proportions suivantes, savoir :

	<i>Poissons frais.</i>	<i>Morue.</i>
Anvers	1,400,000 kilog.	2,000 tonnes.
Gand	25,000 „	500 „
Ostende	25,000 „	500 „
Westwezel (par terre)	50,000 „	500 „

Si, au 1er Novembre de chaque année, l'importation du poisson frais, par l'un ou l'autre des bureaux désignés, n'atteint pas les $\frac{9}{12}$ du chiffre qui lui est assigné dans la répartition ci-dessus, la différence sera reportée sur un ou plusieurs autres bureaux, selon

les indications qui seront fournies par le Gouvernement des Pays-Bas. La déclaration du changement apporté à la répartition primitive sera publiée dans le *Moniteur Belge*, avant le 15 Novembre.

Si, au 1er Avril de chaque année, la quantité de morue, dont l'importation est autorisée par le bureau de Gand, n'est pas entièrement épuisée, le restant sera reporté de droit sur le bureau d'Anvers.

En cas d'innavigabilité des eaux intérieures à cause des glaces, l'importation du poisson frais pourra momentanément se faire par le bureau des douanes de Putte. Les quantités importées par ce bureau seront imputées sur le contingent attribué au bureau d'Anvers.

XX. Les vins de France et du Rhin, importés de l'un des 2 Etats dans l'autre, seront admis aux-mêmes droits que si l'importation en était faite directement du pays de production.

XXI. Les produits suivants, dont l'origine Néerlandaise ou Belge sera dûment constatée selon le mode à convenir entre les 2 Gouvernements, seront soumis à l'entrée de l'un des 2 Etats dans l'autre à un tarif uniforme, ainsi arrêté, savoir :

		Pays-Bas.	Belgique.
		<i>Florins.</i>	<i>Francs.</i>
Bière, en cercles.. .. .	l'hectolitre	2. 50	5. 25
„ en bouteilles de 116 ou plus à l'hectolitre	100 bouteilles	2. 75	5. 75
„ en cruchons d'eau de Selters (de 1 litre 2 décilitres ou moins) ..	100 cruchons	3. 00	6. 25
Cartes à jouer, en jeux ou en feuilles ..	100 kilogr.	6. 00	12. 75
Céruse	100 „	1. 40	3. 00
Chanvre peigné	100 „	1. 40	3. 00
Clous en fer	100 „	0. 75	1. 50
Cuirs tannés et préparés non spécialement tarifés	100 „	6. 00	12. 75
Houblon	libre	libre	libre
Lin peigné	100 „	2. 40	5. 00
Livres en langue Flamande ou Hollandaise, reliés, cartonné ou brochés..	100 „	1. 00	2. 00
Meubles	ad valorem	8 p.c.	8 p.c.
Papiers de toute espèce, sans distinction, à l'exception des cartons ..	„	5 p.c.	5 p.c.
Savons durs ou mous	100 kilogr.	4. 50	9. 50
„ parfumés.. .. .	100 „	7. 50	15. 75
Stéarine	100 „	4. 00	8. 50
Verreries: bouteilles ordinaires ..	100 pièces	1. 00	2. 00
Verres à vitre de toute espèce et tuiles de verre	ad valorem	5 p.c.	5 p.c.
Cristallerie unie, non colorée et non taillée	100 kilogr.	3. 00	6. 25
Cristallerie dorée, colorée, à côtes, taillée ou avec application	100 „	6. 00	12. 75

Il est entendu que le Tarif réciproque, établi par le présent Article, ne pourra être altéré par des primes d'exportation, drawbacks

ou autres mesures analogues. Cette disposition est également applicable aux droits fixés par les Articles XXII et XXIV.

XXII. Les droits d'entrée dans les Pays-Bas sur les produits Belges dénommés ci-après sont fixés ainsi qu'il suit, savoir :

		<i>Florins.</i>
Acide nitrique.. .. .	100 kilogr.	1. 00
„ sulfurique	100 „	0. 10
Ardoises	1000 pièces	0. 10
Bonneterie, dentelles et tulles	ad valorem	4 p.c.
Chapeaux de soie à fond de feutre	la pièce	0. 25
Fer : ouvrages et ustensiles de fer forgé, battu ou laminé, sans adjonction d'autres matières, y compris les haches, pelles, bèches, pics, pioches, marteaux, et rateaux, même munis d'une manche en bois, ainsi que les vis de toute espèce	ad valorem	2 p.c.
Le régime de la nation la plus favorisée est assuré à la Belgique pour les autres spécialités de l'article Fer		
Fil de lin, de chanvre et d'étoupes à coudre et toute autre espèce de fil non spécialement tarifée ..	100 kilogr.	10. 00
Mercerie et coutellerie	ad valorem	3 p.c.
Porcelaine, autre que dorée	100 kilogr.	6. 00
Tissus, toiles et étoffes de coton, écrus, blanchis, teints ou imprimés	ad valorem	4 p.c.
Tissus et étoffes de laine, draps, casimirs et autres étoffes remplaçant les draps et casimirs, telles que buxkins, cuirs de laine, draps zéphirs, &c. ..	100 kilogr.	30. 00
Toute autre espèce d'étoffes de laine pure ou mélangée dont 6 mètres pèsent un kilogramme ou plus	100 „	30. 00
Toute autre espèce d'étoffes de laine pure ou mélangée dont 6 mètres pèsent moins d'un kilogramme	ad valorem	5 p.c.
Tissus, toiles et étoffes de lin, de chanvre ou d'étoupes écrus, blanchis, teints ou imprimés, de toute espèce, à l'exception des coutils dits beddetijk	ad valorem	1 p.c.
Tissus, rubans et marchandises de soie de toute espèce	le kilogr.	2. 00
Les étoffes de coton et laine sans autre mélange, dont la chaîne est exclusivement en coton et dont 6 mètres pèsent un kilogramme ou plus, sont assimilées aux tissus de coton		
Les étoffes où la laine n'entre pas, mélangées de coton, de soie, de lin ou de chanvre, seront classées d'après la matière qui domine dans leur composition, par rapport au poids		
Verreries, glaces étamées et non étamées	ad valorem	6 p.c.

La Belgique partagera de plein droit tout régime plus favorable accordé à une autre nation quelconque, en ce qui concerne les glaces.

Le régime de la nation la plus favorisée est assuré à la Belgique pour la houille.

XXIII. Les droits de sortie sur les cendres de foyer exportées des Pays-Bas pour la Belgique, par tous les bureaux de la frontière limitrophe, sont réduits de 50 à 5 cents par tonneau d'un mètre cube ou de 10 hectolitres.

XXIV. Les droits d'entrée en Belgique sur les produits Néerlandais dénommés ci-après, sont fixés ainsi qu'il suit, savoir :

Tapis de poil de vache	ad valorem	<i>Francs.</i> 10 p.c.
Coatings, calmoucks, duffles, tiretaines, frises, kerseys, baies, couvertures et autres tissus de laine lourds et épais de même nature	100 kilogr.	63. 50
Fromage	100 kilogr.	7. 00
Perches de sapin, originaires du Duché de Limbourg et n'ayant pas plus de 70 centimètres de circonférence au gros bout importées directement du Duché par la Meuse ou le canal latéral	ad valorem.	6 p.c.

Semences, autres que graines oléagineuses, à la moitié du droit actuel.

Céréales récoltées dans le Duché de Limbourg, au quart des droits fixés par le tarif général, jusqu'à concurrence d'une quantité annuelle de 12,000,000 de kilogrammes, dont l'importation aura lieu par les bureaux Belges de Fouron-St.-Martin, de Mouland et de Lixhe (par la Meuse ou le canal latéral) à raison de 750,000 kilogrammes par trimestre pour le dernier bureau, et de 1,125,000 kilogrammes pour chacun des 2 autres.

Si, au 10 du dernier mois de chaque trimestre, l'importation par l'un ou l'autre de ces bureaux n'atteint pas les 2 tiers du chiffre qui lui est assigné, la différence sera reportée sur les autres bureaux, sans que cependant la quantité annuelle à importer par le bureau de la Meuse ou du canal latéral puisse en aucun cas dépasser 3,000,000 de kilogrammes.

Si la législation actuellement en vigueur en Belgique sur l'importation du bétail venait à subir des modifications, les droits sur le bétail Néerlandais ne pourraient dépasser le taux indiqué à l'Article XXIII du Traité du 29 Juillet, 1846.

XXV. Les réductions de droits concédées de part et d'autre par le présent Traité, ne seront accordées spécialement à d'autres pays que moyennant des équivalents.

Si l'une des Hautes Parties Contractantes accorde à une autre nation quelconque de plus grands avantages relativement aux objets dénommés dans ce Traité, ces avantages deviendront de plein droit communs à l'autre partie.

Si d'autres faveurs en matière de commerce ou de douane sont concédées par l'un des 2 Etats à quelqu'autre nation, les mêmes faveurs seront partagées par l'autre Etat, qui en jouira gratuitement si la concession est gratuite, ou en donnant un équivalent si la concession est conditionnelle, auquel cas l'équivalent fera l'objet d'une Convention spéciale entre les 2 Etats, sans préjudice toutefois de ce qui est stipulé à l'Article XVIII.

XXVI. Des mesures seront prises de commun accord entre les Hautes Parties Contractantes, pour prévenir ou réprimer les abus qui pourraient se commettre par la substitution de produits similaires

aux produits favorisés en raison de leur origine ou de leur provenance par le présent Traité.

Il sera conclu entre les 2 parties une Convention pour la répression de la fraude sur leur frontière limitrophe.

XXVII. Le présent Traité aura force et vigueur jusqu'au 1er Janvier, 1857.

Si l'une ou l'autre des Hautes Parties Contractantes ne l'a pas dénoncé, par déclaration officielle, au moins un an avant le 1er Janvier, 1857, il continuera à rester en vigueur une année en sus, et ainsi de suite, d'année en année, jusqu'à ce qu'il ait été dénoncé au moins un an d'avance.

XXVIII. Le présent Traité sera ratifié et les ratifications seront échangées à la Haye, le 15 Décembre prochain ou plus tôt si faire se peut.

Il sera obligatoire à dater du 1er Janvier, 1852.

En foi de quoi, les Plénipotentiaires respectifs l'ont signé et y ont apposé leurs cachets.

Fait à la Haye, le 20 Septembre de l'an de grace 1851.

(L.S.) VAN SONSBEECK.

(L.S.) WILLMAR.

(L.S.) VAN BOSSE.

(L.S.) LIEDTS.

(L.S.) CH. F. PAHUD.

PROTOCOLE.

Les négociations entre les Pays-Bas, d'une part, et la Belgique, d'autre part, ayant amené la conclusion d'un nouveau Traité de commerce et de navigation entre les 2 Etats, les Plénipotentiaires des Hautes Parties Contractantes se sont réunis aujourd'hui pour la signature de ce Traité.

Avant de procéder à cet acte, les Plénipotentiaires respectifs ont arrêté les dispositions suivantes, qu'ils n'ont pas jugé de nature à être comprises dans le Traité, et qu'ils ont dès-lors consignées dans le présent Protocole.

§ 1. Les 2 Gouvernements s'engagent, chacun en ce qui le concerne, à ne pas soumettre les marchandises, à l'égard desquelles il est stipulé dans le Traité de ce jour, à un régime de douane différent de celui qui existe en général pour les autres marchandises, sauf les exceptions indiquées ci-après.

a. Le principe de la justification d'origine est admis à l'égard des vins de France et du Rhin, mentionnés à l'Article XX du Traité, et il sera réglé de commun accord, s'il y a lieu.

Provisoirement, il ne s'appliquera qu'aux vins préparés de manière à perdre leur caractère propre et à imiter les vins d'autres pays.

L'origine de ces vins sera justifiée par une attestation de l'administration communale, du Chef de la Douane ou du Consul Belge ou Néerlandais au lieu de provenance, constatant que la préparation s'est opérée exclusivement avec des vins de France ou du Rhin. L'intéressé sera tenu de produire en outre un certificat dressé par l'expéditeur dans les Pays-Bas ou en Belgique, et affirmé par le Receveur des douanes ou accises du lieu de chargement, qui s'assurera de l'origine en se faisant exhiber les registres et factures de l'expéditeur, ou de toute autre manière.

Ce certificat aura la forme du modèle *A*, annexé au présent Protocole.

b. L'origine du coton en laine et du sucre brut de canne, mentionnés à l'Article XIV, §§ 2 et 3 du Traité, sera constatée au bureau d'entrée en Belgique, par un certificat, modèle *B*.

c. La provenance des autres marchandises qui font l'objet de l'Article XIV, ainsi que de l'Article XV, sera justifiée au bureau d'entrée en Belgique, par la production de la charte-partie, du manifeste ou des connaissements visés par le chef de la douane au lieu d'expédition dans les Pays-Bas.

Ces visa ne seront pas accordés pour les marchandises passant en transit direct, sans déchargement et débarquement, c'est-à-dire, qui n'auront pas été réellement chargées dans les ports Néerlandais.

d. A l'égard des marchandises dont le droit général d'importation dans le pays où elles sont introduites, ne dépasse pas le montant cumulé du droit réduit suivant le Traité et du droit qui frappe dans l'autre pays les produits similaires étrangers, il ne sera exigé de part et d'autre qu'une attestation du receveur des douanes au bureau de sortie, constatant que la marchandise n'est pas exportée en transit et ne provient pas d'un entrepôt. Cette attestation sera conforme au modèle *C*.

Le bétail entrant en transit par le bureau de Fouron-St.-Martin, aux termes de l'Article XII du Traité, devra être accompagné d'une attestation semblable, constatant qu'il n'a pas transité par le territoire Néerlandais.

e. Les marchandises dont les droits d'entrée sont réduits et qui ne remplissent pas la condition énoncée au litt. *d*, ne seront admises aux droits fixés par le Traité que pour autant que l'origine Néerlandaise ou Belge en soit prouvée par la production d'un certificat, modèle *D*.

Ce mode de justification est également applicable aux céréales et aux perches de sapin du Duché de Limbourg, mentionnées à l'Article XXIV du Traité.

En ce qui concerne les cuirs et la existallerie, mentionnés à l'Article XXI, la déclaration d'origine doit émaner du fabricant lui-même.

f. Si le besoin se faisait ultérieurement sentir de compléter ou de modifier les dispositions qui précèdent, d'autres mesures seront arrêtées de commun accord entre les 2 Gouvernements.

§ 2. Les pêcheurs Néerlandais du Zwin demeureront en possession des facilités dont ils jouissent pour l'importation en Belgique des produits de leur pêche, sans préjudice toutefois des dispositions du règlement du 20 Mai, 1843, relatif à la pêche et au commerce de pêche.

§ 3. Les pêcheurs Néerlandais et Belges du Braakman conserveront la faculté de débarquer leurs salicoques au lieu d'amarrage et de déchargement, désigné par le Gouvernement des Pays-Bas près de l'Ecluse d'Isabelle, sauf à se conformer aux mesures de police établies pour prévenir les abus.

Les dispositions des règlements en vigueur concernant l'importation en Belgique du poisson provenant de la pêche du Braakman continueront d'être appliquées aux salicoques dont il s'agit, qu'elles soient fraîches ou cuites.

Le Gouvernement des Pays-Bas s'engage à satisfaire, dans une mesure équitable, aux réclamations des pêcheurs Belges relatives à la répartition des bancs de moules du Braakman et à la surveillance contre les vols qui s'y commettent.

§ 4. Il est entendu que le poisson provenant de la pêche dans l'Escaut Occidental et mentionné à l'Article XVI du règlement du 20 Mai, 1843, n'est pas compris dans la quantité de poisson frais dont l'importation d'un pays dans l'autre est admise à des droits de faveur en vertu de l'Article XIX du Traité.

§ 5. Les plénipotentiaires sont convenus que le présent protocole aura la même durée que le Traité, qu'il sera soumis en même temps aux Hautes Parties Contractantes, et que les arrangements qui y sont contenus seront censés avoir obtenu la ratification des Gouvernements respectifs dès que celles du Traité même aura eu lieu.

Il a été procédé ensuite à la lecture des 2 exemplaires du Traité, lesquels, ayant été trouvés conformes, ont été signés par les plénipotentiaires respectifs et scellés de leurs cachets.

Fait à la Haye, expédié en double et signé le 20^{me} jour du mois de Septembre de l'an de grâce 1851.

(L.S.) VAN SONSBEECK.

(L.S.) WILLMAR.

(L.S.) VAN BOSSE.

(L.S.) LIEDTS.

(L.S.) CH. F. PAHUD.

MODELE A.—CERTIFICAT D'ORIGINE ET D'EXPORTATION.

Déclaration.

Je Soussigné *

* Nom, prénom et profession de l'expéditeur.

demeurant à province de déclare expédier les marchandises désignées ci-après, savoir :*

par le bureau de en destination de †

Je déclare en outre que ces marchandises sont originaires de ‡

Fait à le 18 .

Acte d’Affirmation.

Je Soussigné, receveur de § au bureau de affirme que les marchandises déclarées ci-dessus sont réellement originaires de ‡

Fait à le 18 .
(Sceau.)

Certificat d’Exportation.

Je Soussigné, receveur des douanes au bureau de certifie que les marchandises désignées ci-dessus ont été exportées aujourd’hui par mon bureau, suivant le récépissé de sortie No. ci-annexé.

Fait à le 18 .
(Sceau.)

MODELE B.—CERTIFICAT D’ORIGINE ET D’EXPORTATION.

Déclaration.

Je Soussigné || demeurent à province de déclare expédier les marchandises désignées ci-après, savoir :

No. d’Ordre.	Dénomination et Quantité des Marchandises.	Nombre des Collis (en Lettres).	Marques et Nos. des Collis.	Poids brut de chaque Collis.

par le bureau de en destination de la Belgique.

Je déclare en outre que ces marchandises sont originaires de ¶

Fait à le 18 .

* Désignation précise et détaillée.

† Les Pays-Bas ou la Belgique.

‡ De la France ou du Rhin.

§ Douanes ou accises.

|| Nom, prénom et profession de l’expéditeur.

¶ Pour le sucre : des possessions Néerlandaises aux Indes Orientales ; pour le coton en laine ; la colonie Néerlandaise de Surinam.

Acte d'Affirmation..

Je Soussigné * des douanes à affirme que les marchandises déclarées ci-dessus sont réellement originaires de † et que cette origine a été constatée conformément au § 1 de l'Art. 3 de la Loi du 19 Juin, 1845.

Fait à le 18 .
(Sceau.)

Certificat d'Exportation.

Je Soussigné, receveur des douanes au bureau de certifie que les marchandises désignées ci-dessus ont été exportées aujourd'hui par mon bureau, suivant ‡ de sortie No. ci-annexé.

Fait à le 18 .

MODELE C.—CERTIFICAT D'EXPORTATION.

Je Soussigné, receveur des douanes au bureau de certifie que les marchandises désignées dans ‡ de sortie No. ci-annexé, ont été exportées aujourd'hui par mon bureau, et qu'elles ne proviennent ni d'un entrepôt ni d'un transit par ce pays.

Fait à le 18 .
(Sceau.)

MODELE D.—CERTIFICAT D'ORIGINE ET D'EXPORTATION.

Déclaration.

Je Soussigné § demeurant à province de déclare expédier les marchandises désignées ci-après, savoir :

No. d'Ordre.	Dénomination et Quantité des Marchandises.	Nombre des Collis (en Lettres).	Marques et Nos. des Collis.	Poids brut de chaque Collis.

par le bureau de en destination de ||

Je déclare en outre, que ces marchandises sont originaires de ¶

Fait à le 18 .

* Contrôleur ou receveur.

† Pour le sucre : des possessions Néerlandaises aux Indes Orientales ; pour le coton en laine ; la colonie Néerlandaise de Surinam.

‡ Le récépissé ou la déclaration.

§ Nom, prénom et profession de l'expéditeur.

|| Les Pays-Bas ou la Belgique.

¶ Les Pays-Bas ou la Belgique : pour les céréales et les perches de sapine mentionner spécialement le Duché de Limbourg :

Acte d'Affirmation.

Les Soussignés, bourgmestre et échevins de la * province
de affirment, que les marchandises déclarées ci-dessus, sont
réellement originaires de †

Fait à le 18 .
(Sceau.)

Certificat d'Exportation.

Je Soussigné, receveur des douanes au bureau de certifie
que les marchandises désignées ci-dessus ont été exportées aujourd'hui
par mon bureau, suivant ‡ de sortie No. ci-annexé, et
qu'elles ne proviennent ni d'un entrepôt ni d'un transit par ce pays.

Fait à le 18 .
(Sceau.)

*La Déclaration suivante a été insérée au Procès-verbal d'Echange des
Actes de Ratification.*

A la suite des explications échangées entre les 2 Gouvernements
à propos du projet de loi présenté aux Chambres Belges le 22 Dé-
cembre, 1851, et pour fixer le sens du 16ème alinéa de l'Article XIV
du Traité du 20 Septembre dernier, il est entendu que la différence
dont il s'agit dans cet alinéa, quant aux marchandises qui demeurent
soumises au régime différentiel, créé par la loi Belge du 21 Juillet,
1844, ne pourra être augmentée ni par la suppression de la déduc-
tion de 10 pour cent établie par l'Article IV de ladite loi, ni par
toute autre mesure.

*TRAITE de Navigation et de Commerce, entre la Sardaigne et
les Villes Libres et Anséatiques de Lubeck, Brême et Ham-
bourg.—Signé à Paris, le 29 Avril, 1851.*

[Ratifications échangées à Paris, le 9 Septembre, 1851.]

SA Majesté le Roi de Sardaigne d'une part, et le Sénat de la
Ville libre et Anséatique de Lubeck, le Sénat de la Ville libre et
Anséatique de Brême, et le Sénat de la Ville libre et Anséatique
de Hambourg (chacun de ces Etats pour soi séparément) de l'autre,
désirant consolider et étendre les relations commerciales entre les

* Ville ou commune.

† Les Pays-Bas ou la Belgique: pour les céréales et les perches des sapin
mentionner spécialement le Duché de Limbourg :

‡ Le récépissé ou la déclaration.

Etats respectifs, et persuadés qu'un tel but ne saurait être atteint qu'en faisant disparaître tous les obstacles qui entravent la liberté de la navigation et des échanges, ont nommé pour conclure un Traité de Navigation et de Commerce basé sur les principes d'une juste réciprocité, leurs Plénipotentiaires, savoir :

Sa Majesté le Roi de Sardaigne, le Comte Etienne Gallina, Ministre d'Etat, Sénateur du Royaume, Chevalier de l'Ordre du Mérite Civil de Savoie, Chevalier de Grand Croix décoré du Grand Cordon de l'Ordre de St. Maurice et de St. Lazare, et Son Envoyé Extraordinaire, et Ministre Plénipotentiaire près la République Française.

Et le Sénat de la ville libre et Anséatique de Lubeck, le Sénat de la Ville libre et Anséatique de Brême, et le Sénat de la Ville libre et Anséatique de Hambourg, le Sieur Vincent Rumpff, leur Ministre Résident près la République Française.

Lesquels après avoir échangé leurs pleins-pouvoirs respectifs, trouvés en bonne et due forme, sont convenus des Articles suivants :

ART. I. Les navires Sardes chargés ou sur lest, entrant dans les ports des Républiques Anséatiques et réciproquement les navires Anséatiques, chargés ou sur lest, entrant dans les ports de Sa Majesté le Roi de Sardaigne, seront traités à leur arrivée, pendant leur séjour et à leur départ sur le même pied que les navires nationaux en ce qui concerne le paiement des droits de tonnage, de port, de fanal, de bouée ou de balise et de pilotage, et généralement pour tous les droits de navigation quelconque qui affectent le navire, que ces droits soient perçus par l'Etat, par les Communes, ou par d'autres corporations particulières.

II. Seront considérés comme navires Sardes et Anséatiques ceux qui navigueront avec des lettres de mer de leurs Gouvernements, et qui seront possédés conformément aux lois et réglemens en vigueur dans leurs Pays respectifs.

III. Les navires Sardes dans les ports Anséatiques, et les navires Anséatiques dans les ports du Royaume de Sardaigne, jouiront de tous les avantages et facilités qui seront accordés aux navires nationaux, tant à l'égard de leur placement, que pour leur chargement et déchargement dans les ports, bassins, rades et fleuves des Etats respectifs.

IV. En cas de relâche forcée d'un navire Sarde dans un port Anséatique, ou d'un navire Anséatique dans un port des Etats Sardes, ce navire y jouira, tant pour le bâtiment que pour la cargaison, des faveurs et immunités que la législation de chacun des Etats respectifs accorde à ses propres navires en pareille circonstance, pourvu que la nécessité de la relâche soit dûment constatée.

Le même traitement de faveur sera réciproquement accordé aux navires échoués en cas de bris ou naufrage. Il est d'ailleurs entendu

que les Consuls ou Agents Consulaires respectifs seront admis à surveiller les opérations relatives à la réparation, au ravitaillement ou à la vente, s'il y a lieu, des navires entrés en relâche, échoués ou naufragés à la côte.

V. Les bâtimens Sardes ou Anséatiques en relâche forcée ne jouiront des faveurs et immunités mentionnées dans l'Article précédent, qu'autant qu'ils ne se livreront dans le lieu de relâche à aucune opération de commerce en chargeant ou déchargeant des marchandises. Toutefois les déchargements et rechargements qui seraient nécessaires pour la réparation du navire en relâche forcée, ne seront pas considérés comme opérations de commerce. Ces bâtimens seront en outre tenus de ne pas prolonger leur séjour dans le port ou lieu de relâche, au delà du temps que les causes de la relâche auront exigé.

VI. Les bâtimens Sardes qui arriveront dans les ports d'une des Villes Anséatiques et les bâtimens Anséatiques qui arriveront dans les ports de Sa Majesté Sarde, sont autorisés à ne charger ou décharger qu'en partie, si le capitaine du navire ou le propriétaire le désire; et ils pourront se rendre ensuite dans les autres ports du même Etat pour compléter leur chargement ou déchargement sans être tenus à payer d'autres ou de plus forts droits que ceux que les bâtimens nationaux payeraient dans le même cas.

VII. Toute espèce de marchandise ou objet de commerce provenant des Etats Sardes ou de tout autre pays qui pourront légalement être introduits dans les ports des Villes Anséatiques par des bâtimens nationaux, pourront également y être importés par des navires Sardes, sans être tenus à payer d'autres ou de plus forts droits, de quelque espèce ou dénomination que ce soit, perçus par l'Etat, par des Communes ou par d'autres corporations particulières que ceux que ces mêmes marchandises ou objets de commerce payeraient s'ils étaient importés sur des navires Anséatiques.

Et réciproquement toute espèce de marchandise ou objet de commerce, provenant des Villes Anséatiques ou de tout autre pays, qui pourront légalement être introduits dans les ports des Etats Sardes par des bâtimens nationaux, pourront également y être importés par des navires Anséatiques sans être tenus à payer d'autres ou de plus forts droits de quelque espèce ou dénomination que ce soit, perçus par l'Etat, par des Communes ou par d'autres corporations particulières que ceux que ces mêmes marchandises ou objets de commerce payeraient, s'ils étaient importés sur des bâtimens Sardes.

La même assimilation du traitement national sera réciproquement accordée pour tout ce qui regarde les exportations et le transit.

VIII. Il est expressément entendu que les articles précédents ne sont point applicables à la navigation et au commerce de côte ou au

cabotage que chacune des Hautes Parties Contractantes se réserve exclusivement.

IX. Les Consuls, les Vice-Consuls et les Agents commerciaux auront le droit, comme tels, de servir de juges et d'arbitres dans les différends qui pourraient s'élever entre les capitaines et les équipages des bâtimens de la nation dont ils soignent les intérêts, sans que les autorités locales puissent y intervenir, à moins que la conduite des équipages ou du capitaine ne troublât l'ordre ou la tranquillité du Pays, ou que les dits Consuls, Vice-Consuls ou Agents commerciaux ne se trouvassent dans le cas de requérir l'intervention des autorités locales pour exécuter ou maintenir leur décision.

Il est néanmoins bien entendu que cette espèce de jugement ou d'arbitrage ne sauraient pourtant priver les parties contendantes du droit de recourir à leur retour aux autorités judiciaires de leur Pays.

Les Consuls, les Vice-Consuls ou les agents commerciaux, sont autorisés à requérir l'assistance des autorités locales pour la recherche, l'arrestation, la détention, et l'emprisonnement des déserteurs des navires de guerre et des navires marchands de leurs Pays. Ils s'adresseront à cet effet aux tribunaux, juges et officiers compétents et réclameront par écrit les déserteurs susmentionnés, en prouvant au moyen des registres des navires ou des rôles d'équipage, ou par d'autres documents officiels que les individus réclamés ont fait partie des dits équipages. Sur la réclamation fondée sur de pareilles preuves l'extradition des déserteurs ne sera pas refusée.

Les déserteurs seront après leur arrestation mis à la disposition des Consuls, des Vice-Consuls ou des agents commerciaux, et pourront être renfermés dans les prisons publiques à la réquisition et aux frais de ceux qui les réclament, pour être envoyés au navire auquel ils appartenaient, ou à d'autres navires de la même nation. Mais s'ils ne sont pas renvoyés dans leur pays dans l'espace de 3 mois à compter du jour de leur arrestation, ils seront mis en liberté, et ne pourront plus être arrêtés pour la même cause. Toutefois s'il se trouvait que le déserteur eût commis quelque autre crime ou délit, il pourra être sursis à son extradition, jusqu'à ce que le tribunal nanti de l'affaire ait rendu sa sentence, et que celli-ci ait reçu son exécution.

X. Il ne pourra être imposé par une des Hautes Parties Contractantes à la navigation et au commerce de l'autre aucun droit nouveau ou plus élevé, ni aucune entrave ou restriction quelconque qui ne s'appliquerait pas également et dans la même mesure à la navigation et au commerce nationaux, ainsi qu'au commerce et à la navigation de toute autre nation.

Toutes les faveurs qui sont, ou pourront être concédées par l'une des Hautes Parties Contractantes à la navigation et au commerce d'une nation étrangère deviendront de droit et *ipso facto* communes

à la navigation et au commerce de l'autre Haute Partie Contractante, gratuitement si la faveur est gratuite, ou moyennant compensation équivalente si elle est conditionnelle.

XI. Le présent Traité sera en vigueur pendant 10 ans à compter du jour de l'échange des ratifications, et au delà de ce terme jusqu'à l'expiration de 12 mois après que l'une des Hautes Parties Contractantes aura notifié à l'autre d'une manière officielle son intention d'en faire cesser l'effet; chacune des Hautes Parties Contractantes se réservant le droit de faire à l'autre une telle déclaration au bout des 10 ans susmentionnés.

Il est cependant bien entendu et convenu, que si l'une ou plusieurs des Républiques Anséatiques à l'expiration de 10 ans à compter du jour de l'échange des ratifications, donnent ou reçoivent la déclaration de la cessation du présent Traité, ce Traité restera néanmoins en pleine force et effet par rapport à celle des Républiques Anséatiques qui n'aura ni donné ni reçu cette déclaration.

XII. Les Villes libres et Anséatiques consentent d'après le vœu du Gouvernement Sarde à étendre toutes les stipulations du présent Traité à la Principauté Souveraine de Monaco, placée sous le protectorat de Sa Majesté le Roi de Sardaigne, à la charge de réciprocité de la part de la dite principauté.

XIII. Les ratifications du présent Traité seront échangées à Paris dans l'espace de quatre mois à compter du jour de la signature, ou plus tôt si faire se peut.

En foi de quoi les Plénipotentiaires respectifs ont signé le présent Traité et y ont apposé le cachet de leurs armes.

Fait par quadruplicata à Paris le 29 Avril, de l'an de grâce, 1851.
(L.S.) E. GALLINA. (L.S.) V. RUMPF.

PROCES-VERBAL.

L'an de grace, 1851, et le 29 Avril, les Soussignés Plénipotentiaires de Sa Majesté le Roi de Sardaigne, et des Villes libres et Anséatiques de Lubeck, Brême et Hambourg, se sont réunis pour procéder à la signature d'un Traité de navigation et de commerce entre leurs Gouvernements respectifs.

En même temps le Plénipotentiaire de Sa Majesté Sarde, à cela dûment autorisé, a déclaré que son Gouvernement prenait l'engagement d'étendre les faveurs et immunités accordées par le Traité susmentionné aux navires entrant dans les ports Sardes en relâche forcée, à tout navire Anséatique qui se présentera dans les dits ports même en relâche volontaire, et cela pendant les premiers quinze jours consécutifs de son séjour, pourvu que dans cet intervalle il ne se livre à aucune opération de commerce; toutefois, soit après l'écoulement de ces 15 jours, soit si le bâtiment venait à charger

ou à décharger des marchandises, il sera tenu à acquitter les droits établis dans les ports Sardes pour tout navire qui s'y livre à des opérations de commerce.

Il demeure cependant bien entendu que le Gouvernement Sarde se réserve la faculté de retirer aux navires Anséatiques ce traitement de faveur dans le cas où un égal traitement de réciprocité ne serait plus accordé aux navires Sardes dans les ports Anséatiques.

De son côté le Plénipotentiaire des Villes libres et Anséatiques de Lubeck, Brême et Hambourg, à cela également autorisé, a déclaré que d'après la législation actuellement en vigueur dans ces Républiques, la libre entrée et une complète immunité sont accordées à l'embouchure des rivières à tous les bâtimens entrant en relâche volontaire et stationnant sur rade, savoir à Travemünde à l'embouchure de la Trave, à Brëmerhaven à l'embouchure du Weser, et à Cuxhaven à l'embouchure de l'Elbe, où le stationnement sur rade n'offrant pas une suffisante sûreté, la libre entrée dans le port et la même immunité leur sont même accordées : à condition toutefois dans tous les cas que ces bâtimens ne se livrent pendant cette relâche à aucune opération de commerce en chargeant ou déchargeant des marchandises, toute opération de commerce quelconque faisant cesser *ipso facto* ce traitement de faveur.

Le Plénipotentiaire des Villes libres et Anséatiques, à cela dûment autorisé, a encore déclaré ; que : d'après la même législation actuellement en vigueur dans ces Républiques, le commerce et la navigation entre une des Villes libres et Anséatiques, et les 2 autres ne sont pas réputés commerce et navigation de cabotage.

En foi de quoi les Plénipotentiaires ont signé le présent procès verbal à quadruple original, et y ont apposé le cachet de leurs armes.

Fait à Paris, le 29 Avril, 1851.

(L.S.) E. GALLINA.

(L.S.) V. RUMPF.

CONVENTION ADDITIONNELLE au Traité de Commerce et de Navigation du 23 Juin, 1845, entre la Sardaigne et les Etats du Zollverein.—Signée à Turin, le 20 Mai, 1851.*

[Ratifications échangées à Berlin, le 28 Juillet, 1851.]

SA Majesté le Roi de Sardaigne d'une part, et Sa Majesté le Roi de Prusse agissant tant en son nom et pour les autres Pays et

parties de Pays Souverains compris dans son système de douanes et d'impôts, d'autre part,

Désirant étendre les relations commerciales entre les Etats Sardes et les Etats du Zollverein sont convenus d'ajouter au Traité de commerce et de navigation conclu à Berlin le 23 Juin, 1845 les Articles suivants :

ART. I. Sa Majesté le Roi de Prusse, tant en son nom que pour les autres Pays et parties des Pays Souverains compris dans son système de douanes et d'impôts s'engage de son côté :

1°. A réduire les droits actuellement établis sur les riz Sardes à leur entrée dans les Etats du Zollverein, savoir :

a. Pour les riz pelés, de 2 écus à 1 écu de Prusse le quintal ;

b. Pour les riz non pelés, de 2 écus à $\frac{2}{3}$ d'écu ou 20 silbergroschen le quintal.

2°. A supprimer les droits qui étaient perçus jusqu'à présent sur l'huile d'olive provenant en tonneaux des Etats Sardes et destinée à subir à son entrée dans les Etats du Zollverein un mélange d'huile de térébenthine.

II. Sa Majesté le Roi de Sardaigne consent à étendre aux Etats du Zollverein, à partir du 1 Juin, 1851, les réductions de douane accordées par la Sardaigne à la France, et à la Belgique et à l'Angleterre par les Traités conclus avec ces Puissances sous la date des 5 Novembre, 1850, 24 Janvier et 27 Février, 1851.

III. Les 2 Hautes Parties Contractantes se réservent de prendre de concert des mesures propres à favoriser l'établissement d'une ligne de chemins de fer destinée à relier ceux de l'Union douanière Allemande avec celui qui est en voie de construction entre Gênes et les frontières de la Suisse.

IV. La présente Convention aura la force et la valeur du Traité du 23 Juin, 1845, dont elle formera désormais l'annexe, et l'un et l'autre resteront en vigueur jusqu'au 1 Janvier, 1858. A partir de cette époque ils ne cesseront d'être en vigueur que 12 mois après que l'une des Hautes Parties Contractantes aura déclaré à l'autre son intention de ne plus vouloir les maintenir.

V. La présente Convention sera ratifiée et les ratifications en seront échangées à Turin dans le plus court délai.

En foi de quoi l'Envoyé Extraordinaire et Ministre Plénipotentiaire de Sa Majesté le Roi de Prusse et Monsieur le Ministre de la Marine, de l'Agriculture et du Commerce, Chargé du Portefeuille des Finances de Sa Majesté Sarde, muni à cet effet de pleins pouvoirs, trouvés en bonne et due forme, ont signé la présente Convention et y ont apposé leurs cachets.

Fait à Turin, en double original, le 20 Mai, 1851.

(L.S.) C. DE CAVOUR.

(L.S.) H. REDERN.

*TRAITE de Commerce, entre la Sardaigne et la Suisse.—
Signé à Turin, le 8 Juin, 1851.*

[Ratifications échangées à Turin, le 25 Septembre, 1851.]

SA Majesté le Roi de Sardaigne, et le Conseil Fédéral de la Confédération Suisse, désirant donner aux relations commerciales et aux rapports de bon voisinage qui existent entre les 2 Pays, tout le développement dont elles sont susceptibles, et persuadés qu'on ne saurait atteindre un but aussi utile qu'en faisant disparaître tous les obstacles qui peuvent entraver le commerce, ont résolu d'assurer réciproquement, par un Traité, aux citoyens des 2 Etats, de nouvelles facilités et de nouvelles franchises.

A cet effet ils ont nommé pour leurs Plénipotentiaires savoir :

Sa Majesté le Roi de Sardaigne, le Sieur Comte Camille Bongioanni di Castelborgo, Chevalier de son Ordre Religieux et Militaire des Saints Maurice et Lazare, Officier de la Légion d'Honneur et de l'Ordre de Léopold de Belgique, son Premier Officier au Ministère de l'Agriculture et du Commerce

Et le Conseil Fédéral Suisse, le Sieur Achille Bischoff, Membre du Conseil National Suisse, et le Sieur Charles Murset, Consul de la Confédération Helvétique à Turin;

Lesquels après avoir échangé leurs pleins-pouvoirs trouvés en bonne et due forme, sont convenus des Articles suivants :

ART. I. Les citoyens Sardes (sauf la clause de l'Article XLI de la Constitution Fédérale) seront assimilés, pour leur séjour en Suisse, aux nationaux, à la condition toutefois de se soumettre aux lois et aux règlements en vigueur.

Et réciproquement les citoyens Suisses seront assimilés, pour leur séjour dans les Etats Sardes, aux nationaux, à la condition de se soumettre aux lois et aux règlements en vigueur.

Ainsi les citoyens des 2 Etats respectifs pourront entrer librement dans les territoires de chacune des 2 Hautes Parties Contractantes : ils pourront séjourner ou résider librement dans quelque partie que ce soit des dits territoires, pour y vaquer à leurs affaires de commerce ; ils ne seront soumis à aucune charge ou taxe quelconque, pour droit de séjour, et pour l'exercice de leur industrie commerciale, qui ne seraient pas exigées des nationaux, sauf les précautions de police qui seront employées à l'égard des nations les plus favorisées ; ils auront un libre accès auprès des tribunaux de justice, pour la poursuite et la défense de leurs droits, en toute instance et dans tous les degrés de juridiction établis par les lois ; ils jouiront de toutes les facilités accordées aux nationaux dans le choix des avocats, avoués ou agents de toute classe qu'ils

iugeraient à propos de faire agir en leur nom, et il leur sera garanti la même sécurité et la même protection qu'aux habitants du pays dans lequel ils résideront.

Ne sont cependant pas compris dans les avantages mentionnés ci-dessus l'exercice des droits politiques et la participation aux biens des communes, des corporations ou des fondations dont les citoyens de l'un des 2 pays établis dans l'autre, n'auraient pas été reçus comme membres ou à titre de copropriétaires.

II. Les citoyens des 2 pays seront affranchis de tout service personnel dans l'armée, aussi bien que dans les gardes ou milices nationales.

Pour ce qui regarde les propriétés mobilières ou immobilières des citoyens respectifs, il est convenu qu'elles ne seront assujetties, soit en temps de paix, soit en temps de guerre, à d'autres ou plus forts impôts, charges ou contributions, que ceux auxquels seront assujetties les propriétés des nationaux.

III. Les citoyens des 2 Etats contractants, résidant ou établis dans l'autre, qui voudront retourner dans leur pays, ou qui y seront renvoyés par sentence du juge, par mesure de police, ou d'après les lois et règlements sur la mendicité et les mœurs, seront reçus en tout temps et en toute circonstance, eux, leurs femmes et leurs familles, dans le pays dont ils sont originaires, et où ils auront conservé leurs droits, conformément aux lois.

IV. En considération de la libre sortie en franchise des denrées alimentaires, et objets de consommation destinés à l'approvisionnement de la ville et du Canton de Genève, par les bureaux du Duché de Savoie et des provinces du Chablais, du Genevois et du Faucigny, la Confédération Suisse s'engage, de son côté, à recevoir également en franchise et de la manière ci-après indiquée, les produits suivants des Etats Sardes.

Laitages, légumes frais, œufs, fruits, volaille vivante, jardinage, y compris les pommes de terre, et en général toutes les denrées destinées à être vendues comme approvisionnement de marché.

Il est entendu que les denrées ci-dessus mentionnées seront portées, ou conduites en Suisse sur des charrettes, ou sur des bateaux par les vendeurs mêmes, qui devront toutefois suivre les routes de péage, et les déclarer aux bureaux-frontières. La totalité des objets ci-dessus, contenus dans les charrettes, ou dans les bateaux, ne devra pas dépasser le poids de 5 quintaux métriques.

La Confédération Suisse consent en outre à admettre en pleine franchise, par la frontière du Canton de Genève 5,000 hectolitres, équivalents à 10,000 quintaux Suisses, de vin sortant par la ligne douanière des provinces du Chablais, du Genevois et du Faucigny, dans la proportion qui sera déterminée par le Gouvernement Sarde

entre ces 3 provinces, et par la voie des bureaux-frontières, qui seront désignés de concert entre les 2 Gouvernements.

La Confédération s'engage aussi à recevoir en franchise de droit les Articles suivants :

a. Matériaux pour les routes, gravier, sable, scorie, pierres de construction brutes, gypse et chaux brute non cuite, feuilles de hêtre et autres pour litières et fourrages, litières d'écorce et toutes les matières brutes servant aux engrais.

b. Les objets Tarifés, de quelque qualité que ce soit, n'excédant pas le poids d'un kilogramme, quand ils seront importés par la personne elle-même, et tous les autres objets, pour la totalité desquels elle n'aurait pas à payer un droit supérieur à 5 centimes.

Elle s'engage aussi à réduire, dans la proportion suivante, les droits d'entrée sur les Articles ci-après :

Marchandises Tarifées par Quintal Métrique.

	<i>Fr. c.</i>	<i>Fr. c.</i>
Soies tordues à coudre de	29 0	à 7 0
Huiles d'olives comestibles de	14 50	7 0
Fruits du midi, y compris les amandes, les noisettes, les raisins secs et les figues de	14 50	7 0
Anchois salés, sardines, ton mariné à l'huile, anguilles, en barils d'un poids au dessus de 5 kilogrammes de	29 0	7 0
Viandes fumées, séchées et salées telles que jambons, saucissons, saucisses, &c., de	7 30	5 0
Eaux minérales de	4 36	3 0
Chataignes de	0 60	0 30
Ceufs de	0 60	0 08

Marchandises Tarifées par Pièce.

Veaux, auxquels les cornes n'ont pas encore poussé.

Chèvres, et chevreaux.

Brebis et agnéaux, moutons.

Cochons, d'un poids au dessous de 40 kilogrammes de $7\frac{1}{2}$ centimes à 5 centimes.

Marchandises Tarifées par Collier, à raison de 750 Kilogrammes.

Déchets d'animaux et de végétaux, qui ne sont pas spécialement désignés au tarif, savoir :

Sang, sabots, tendons, os, oreillons de peau, sciure, son, tourteaux de graines oléagineuses, farine de tourteaux, marc de raisin sec, lies sèches et en pâte, de 45 à 15 centimes.

La Confédération Suisse s'engage à ne pas augmenter le droit

actuel de 30 centimes par quintal métrique sur les riz provenant des Etats Sardes, pendant toute la durée du présent Traité.

Pour faciliter encore d'avantage les relations commerciales entre les 2 Pays, la Confédération Suisse s'engage à établir le système de fractionnement par tiers et par quinzièmes sur l'évaluation des articles dont la tarification a pour base d'unité le collier de 750 kilogrammes.

De manière que les objets frappés d'un droit de 15 centimes, et de 60 centimes par collier jouiront des facilités suivantes :

Si ces articles forment une seule charge et ne dépassent pas dans leur ensemble le poids de 500 kilogrammes, ils ne payeront que $\frac{2}{3}$ de la taxe, soit 40 ou 10 centimes.

S'ils ne dépassent pas les 250 chilogrammes, ils ne payeront que $\frac{1}{3}$ de la taxe, et s'ils ne dépassent pas le poids de 50 kilogrammes ils ne payeront que $\frac{2}{15}$.

V. Le Gouvernement Sarde, désirant faciliter dans les Etats de Sa Majesté la consommation des objets de l'industrie Suisse, garantit aux productions naturelles et industrielles des Etats de la Confédération, les mêmes avantages dont jouissent dans les Etats Sardes, les productions naturelles et industrielles de la nation la plus favorisée, et notamment ceux accordés à la France, à la Belgique, à l'Angleterre et au Zollverein par les Traités et Conventions des 5 Novembre, 1850, 24 Janvier, 27 Février et 20 Mai, 1851.

Il consent en outre à réduire le droit sur les fromages Suisses de 20 à 15 francs les 100 kilogrammes.

Le Gouvernement de Sa Majesté le Roi de Sardaigne s'oblige à ne pas faire usage, pendant la durée du présent Traité de la réserve portée à l'Article IV du Traité du 11 Mars, 1816, celle de défendre en cas de disette, l'exportation des denrées alimentaires des Etats de Sa Majesté.

VI. Les Hautes Parties Contractantes s'engagent à maintenir la pleine et entière liberté de transit pour les marchandises et objets de commerce provenant d'un pays quelconque qui, de leurs frontières respectives, seraient dirigés au travers de leur territoire, sur celui de l'autre Partie, sans que, dans aucun cas, ces marchandises, ou objets de commerce puissent être grevés de droits de transit, entrepôts, ou autres droits quelconques, sous quelque dénomination que ce soit, qui ne seraient pas également payés par les nationaux, et par la nation la plus favorisée.

La Confédération Suisse consent à réduire le droit actuel sur le transit de 60 à 40 centimes ; et en considération des stipulations de l'Acte Final du Congrès de Vienne et du Traité du 16 Mars, 1816, elle s'engage, pour les marchandises et objets de commerce, qui d'une province des Etats de Sa Majesté seraient dirigés, soit par le Valais, soit par le territoire du canton de Genève, sur un autre

point des provinces limitrophes Sardes, à ne percevoir qu'un droit de transit de 10 centimes par 100 kilog., sans obligation de plombage, et sans être soumis à aucune autre charge quelconque.

VII. Pour faciliter les communications et les rapports de frontières, le Gouvernement Fédéral s'engage à maintenir dans les principales avenues de routes qui relient les 2 Etats, les bureaux dûment autorisés à percevoir les droits de douane, et à faire les opérations relatives au transit, sur les routes qui seront reconnues comme voies de transit.

Sur la demande qu'en fera le Gouvernement de Sa Majesté le Roi de Sardaigne, le Gouvernement Fédéral ne se refusera pas à établir de nouveaux bureaux-frontières dans les endroits où les besoins du commerce pourront l'exiger.

Les bureaux actuels seront :

Sur la frontière du Canton de Genève.

Chaney, Sezeguin, Soral, Carouge (Perly) bureau principal, Veirier, Moillesulaz bureau principal, Croix de Rozon *idem*, Cara, Jussy, Corsier, autorisé au transit, Hermance *idem*.

Sur la frontière du Canton du Valais.

Bouveret, bureau principal, Berney, Martigny, Orsières, Vouvry, Champéry, S. Gingolph, Monthey, Gondo, bureau principal, Saar, Bince, Zumlock.

Sur la frontière du Canton de Tessin.

Locarno, bureau principal, Magadino *idem*.

VIII. Le Gouvernement Fédéral convaincu des grands avantages que la Suisse est appelée à retirer de la facilité et de la rapidité du mouvement commercial, s'engage de la manière la plus formelle à contribuer, autant que possible, à la construction d'un chemin de fer, qui, partant immédiatement de la frontière Sarde ou du point le plus convenable des bords du Lac-Majeur, se dirigerait vers, et jusqu'à un point de l'Allemagne, pour rejoindre les chemins de fer du Zollverein.

Si une société venait à se charger de cette entreprise, le Gouvernement Fédéral s'engage à lui assurer toutes les facilités possibles sur le territoire de chaque canton qui devrait être traversé par cette ligne, soit pour les études préliminaires, soit pour l'exécution des travaux, en appliquant, en faveur de cette entreprise, les dispositions des lois sur l'expropriation forcée, et en permettant aux entrepreneurs de se servir, pour la main d'œuvre, des gens du pays, ou de travailleurs étrangers munis de papiers en règle.

Dans ce cas, il serait loisible au Gouvernement et aux citoyens de ces Cantons, de se réserver la portion d'action qu'ils croiraient con-

venable, en se soumettant toutefois aux statuts de la société, qui seront préalablement approuvés par le Gouvernement Fédéral et par le Gouvernement Sarde, et à l'exécution desquels les 2 Hautes Parties Contractantes s'engagent à ne pas apporter d'obstacles dilatoires.

De son côté le Gouvernement Sarde prend envers le Gouvernement Fédéral un engagement semblable, pour la construction dans ses Etats d'un chemin de fer, qui, soit immédiatement, soit au moyen de la navigation à vapeur sur le Lac-Majeur, établisse une communication avec la Suisse, sur le point qui sera reconnu le plus favorable, dans un intérêt commun. Il garantit, en outre, au Gouvernement Helvétique le libre usage des chemins de fer qui, des frontières Suisses, se dirigent vers la mer, ou vers tout autre point des Etats Sardes, sans que les citoyens Suisses aient à payer pour leurs personnes et pour leurs marchandises et objets de commerce, d'autres ou de plus forts droits de transport, que ceux qui sont ou seront payés par les nationaux.

Le Gouvernement Fédéral s'engage également à accorder aux citoyens Sardes, à leurs marchandises et objets de commerce, les mêmes facilités, sur les chemins de fer qui sont, et seront construits sur le territoire de la Confédération.

IX. Les 2 Gouvernements s'engagent réciproquement à ne pas frapper les objets d'industrie de leurs Etats respectifs de droits autres ou plus forts que ceux auxquels sont assujettis à leur entrée les articles et les produits similaires de la nation la plus favorisée.

X. Il pourra être établi des Consuls et des Vice-Consuls de chacun des 2 Pays dans l'autre, pour la protection du commerce.

Ces agents n'entreront en fonctions et en jouissance des droits, privilèges et immunités qui leur reviennent, qu'après avoir obtenu l'exequatur du Gouvernement territorial.

Celui-ci conservera d'ailleurs le droit de déterminer les résidences où il ne lui conviendra pas d'admettre les Consuls, bien entendu que sous ce rapport les 2 Gouvernements ne s'opposeront respectivement aucune restriction qui ne soit commune dans leurs pays à toutes les nations.

Les Agens Consulaires Suisses dans les Etats Sardes jouiront de tous les privilèges, exemptions et immunités dont jouissent les agents de même qualité de la nation la plus favorisée; il en sera de même en Suisse pour les Agens Consulaires de Sardaigne.

XI. Le présent Traité restera en vigueur pendant 10 ans à dater du 1 Juillet, 1851, jour où il sera mis à exécution.

Si un an avant l'expiration de ce terme, il n'est pas dénoncé, il continuera à être obligatoire, d'année en année, jusqu'à ce que l'une des Hautes Parties Contractantes ait annoncé à l'autre, un an à l'avance, son intention d'en faire cesser les effets.

XII. Le présent Traité sera ratifié par Sa Majesté le Roi de Sardaigne et par le Conseil Fédéral de la Confédération Suisse, conformément aux Constitutions des 2 Etats, et les ratifications en seront échangées à Turin aussitôt que faire se pourra.

En foi de quoi les Plénipotentiaires respectifs ont signé le présent Traité et y ont apposé leur cachet.

Fait à Turin ce 8 Juin l'an 1851.

(L.S.) DE CASTEL-	(L.S.) J. ACHILLE BISCHOFF.
BOURG.	(L.S.) CHARLES MURSET.

CONVENTION entre la Sardaigne et l'Espagne, pour l'Exécution des Sentences en Matière Civile.—Signé à Madrid, le 30 Juin, 1851.

[Ratifications échangées à Madrid, le 19 Août, 1851.]

(Traduction.)

SA Majesté le Roi de Sardaigne et Sa Majesté la Reine d'Espagne, toujours animés du désir de favoriser les intérêts de leurs sujets respectifs et de rendre de plus en plus profitables à ces intérêts les rapports heureusement existants entre les 2 Gouvernements, ont jugé convenable dans ce but d'autoriser, chacun dans son propre Etat, pour autant que les lois du pays le permettent, l'exécution des jugements en matière civile ordinaire ou commerciale, émanés des Tribunaux de l'autre Etat.

Ayant, en conséquence, déterminé d'établir, par une Convention Spéciale entre les 2 Gouvernements, les règles d'après lesquels cette exécution devra être demandée et accordée réciproquement, Leurs Majestés ont nommé leurs Plénipotentiaires pour la stipulation de cette Convention, savoir :

Sa Majesté le Roi de Sardaigne, le Chevalier Edouard de Launay, Chevalier de son Ordre Religieux et Militaire de St. Maurice et St. Lazare, Commandeur de l'Ordre du Christ de Portugal, et Chevalier d'autres Ordres Etrangers, Chargé d'Affaires de Sa Majesté près la Cour d'Espagne, et

Sa Majesté la Reine d'Espagne, le Sieur D. Emmanuel Pando de Fernandez de Pinedo, Avila et Davila, Marquis de Miraflores, Grand d'Espagne de Première Classe, Chevalier de l'Ordre insigne de la Toison-d'Or, Grand Croix de l'Ordre Royal de Charles III, de celui de la Légion d'Honneur de France, de celui du Christ de Portugal, &c., Sénateur du Royaume et son Premier Secrétaire d'Etat pour les Affaires Etrangères :

Lesquels, après s'être communiqué leurs pleins pouvoirs respectifs

et après les avoir trouvés en bonne et due forme, sont convenus de ce qui suit.

ART. I. Les jugements ou arrêts en matière civile ordinaire ou commerciale, émanés des Tribunaux de Première Instance ou d'appel de Sa Majesté le Roi de Sardaigne, ou de ceux de Sa Majesté Catholique, et dûment légalisés, seront réciproquement exécutés par les Tribunaux des 2 pays, en conformité de ce qui est établi par les Articles suivants.

II. Cette exécution sera demandée par un Tribunal de Première Instance ou d'appel à l'autre, au moyen de réquisitoires.

Lorsqu'il s'agira de jugements définitifs, le réquisitoire sera accompagné de l'arrêt d'exécution correspondant.

Lorsqu'il s'agira de jugements non définitifs, avant de décréter l'expédition du réquisitoire, le requérant s'assurera et en fera ensuite mention motivée dans son mandat, qu'il n'y a plus lieu à appeler de ces jugements, si, à raison de leur nature, cette circonstance était nécessaire pour qu'ils puissent être exécutés.

III. Pour que les Tribunaux de Première Instance ou d'appel compétents de chaque pays puissent exécuter les jugements ou arrêts des Tribunaux de l'autre pays, ils devront être préalablement déclarés exécutoires par le Tribunal Supérieur dans la juridiction ou territoire duquel l'exécution devra avoir lieu. Toutefois le Tribunal Supérieur n'émettra pas cette déclaration dans les cas suivants :

1°. Lorsque le jugement ou l'arrêt serait entaché d'injustice manifeste ;

2°. Lorsqu'il serait nul par défaut de juridiction, de citation ou de mandat ;

3°. Lorsqu'il serait contraire aux lois prohibitives du Royaume où l'exécution en est requise.

IV. Les jugements rendus par les Tribunaux de Sa Majesté le Roi de Sardaigne auront force de produire hypothèque sur les biens situés dans les Etats de Sa Majesté Catholique, et réciproquement, lorsqu'ils auront été déclarés exécutoires de la manière ci-dessus indiquée.

V. Les Actes authentiques passés dans les Etats de Sa Majesté le Roi de Sardaigne auront force de produire hypothèque sur les biens situés dans les Etats de Sa Majesté, toutes les fois que ces biens auront été spécialement désignés dans le contrat, et *vice versâ*.

VI. L'hypothèque dont il est question dans les 2 Articles précédents (IV et V) n'affectera que les biens qui en seront susceptibles d'après les lois du pays où ils sont situés. L'accomplissement de toutes les formalités prescrites par la loi pour que l'hypothèque sorte son effet demeurera à la charge de la personne en faveur de laquelle l'hypothèque aura été acquise ou accordée.

VII. La présente Convention est conclue pour 5 ans, après l'expiration desquels, sans que l'une des Hautes Parties Contractantes ait déclaré à l'autre, 6 mois avant l'échéance dudit terme, de vouloir en faire cesser les effets, elle continuera à être en vigueur pour une année et ainsi de suite, sauf le cas de dénonciation comme ci-dessus.

Elle sera ratifiée et les ratifications en seront échangées dans l'espace de 3 mois ou plus tôt si faire se peut.

En foi de quoi les Plénipotentiaires susdits l'ont munie de leur signature et y ont apposé le sceau de leurs armes.

Fait dans le Palais Royal à Madrid, le 30 du mois de Juin de l'an 1851.

(L.S.) E. DE LAUNAY.

(L.S.) LE MARQUIS DE
MIRAFLORES.

*CORRESPONDENCE between Great Britain and Russia,
relative to the Affairs of Greece, previous to the Conclusion
of the Treaty of July 6, 1827.—1823—1827.**

No. 1.—*Count Lieven to Mr. Canning.*—(Received November .) *Ashburnham House, le 22 Novembre, 1823.*

MON CHER M. DE CANNING,

DANS la vue de gagner du temps, et de faire peut-être quelque chose qui pourrait être agréable à votre Excellence, je crois devoir lui communiquer ci-près la copie d'une dépêche (dont je me proposais d'avoir l'honneur de lui soumettre Lundi l'original) qui porte la réponse à une question que vous m'avez adressée à notre dernier entretien.

Veuillez, &c.

M. Canning.

LIEVEN.

(*Inclosure.*)—*Count Nesselrode to Count Lieven.*

M. LE COMTE,

Odessa, le ^{21 Octobre,} _{2 Novembre,} 1823.

MA lettre au Vicomte de Strangford, en date de Tchernowitz, le 28 Septembre, de l'année courante, lui a annoncé que je me concerterais avec le Cabinet de Vienne sur un travail qui aurait pour but d'indiquer les moyens auxquels les Puissances Alliées pourraient avoir recours, afin de rétablir le calme en Grèce à l'aide de leur intervention collective, et d'assurer un bonheur durable à ces contrées.

Pendant mon séjour à Lemberg, je n'ai pas manqué de discuter

* Laid before Parliament, 1863.

avec M. le Prince de Metternich les bases de ce travail ; toutefois la question offre tant de difficultés, elle exige tant de notions locales, qu'il nous a été impossible pour le moment de réunir dans un mémoire fondé sur des faits et des renseignements positifs, les idées qui se présentent comme les plus propres à hâter la pacification de la Grèce.

Mais il nous a paru que la mesure dont on pourrait avec raison se promettre le plus de succès serait d'ouvrir à St. Pétersbourg entre le Ministère de Russie et les Ambassadeurs ou Ministres de toutes les Cours Alliées, des délibérations communes sur cet objet important.

Il y serait examiné avec toute la réflexion qu'il demande ; le résultat des Conférences devrait être communiqué aux Plénipotentiaires de ces mêmes Cours à Constantinople, et ceux-ci le regarderaient comme leur instruction définitive.

Dès notre retour, nous nous ferons un devoir de développer les vues de l'Empereur sous ce rapport, et nous signalerons les principes dont l'application nous paraîtra le plus désirable et le plus salulaire.

Le problème qui va nous occuper appelle l'attention de tous les hommes d'Etat, et nous espérons qu'à ce titre le Cabinet de Londres transmettra avec empressement à son Représentant auprès de Sa Majesté Impériale l'autorisation de prendre part à la délibération dont il s'agit.

Votre Excellence voudra bien l'y inviter et le prévenir qu'il nous semblerait d'une utilité majeure qu'à cette occasion la Cour d'Angleterre fit connaître à M. le Chevalier Bagot ses opinions sur l'avenir de la Grèce et sur l'ordre de choses que la Porte devrait lui accorder pour la soustraire au fléau des révolutions et pour la faire jouir de tous les avantages que réclament en sa faveur la religion et l'humanité.

Recevez, &c.

Le Comte Lieven.

NESSELRODE.

*No. 2.—Sir Henry Wellesley to Mr. G. Canning.—(Rec. April 16.)
(Extract.)*

Vienna, March 31, 1825.

At the second Conference the Russian Secretary presented a kind of project, submitting the course which it would be advisable for the Allies to pursue with the belligerent parties. It was urged in the first place that no time should be lost in entering upon the affair, in order, if possible, to prevent the renewal of hostilities, the season for which was fast approaching. That the first overture should be made to the Ottoman Government. That they should be invited to join their efforts to those of the Allies for the purpose of effecting the pacification of Greece, as a preliminary step to which they should be required to consent to an armistice. That should

they, however, refuse either to unite themselves to the Allies, or to accept of their intervention for the purpose aforesaid, it should be intimated to them that the 4 Powers would be under the painful necessity of withdrawing their Missions from Constantinople, and that the Ottoman Government would alone be responsible for the consequences which might ensue were the Allies compelled to resort to such a measure.

G. Canning, Esq.

H. WELLESLEY.

No. 3.—Mr. Stratford Canning to Mr. G. Canning.—(Rec. May 3.)
(Extract.) *St. Petersburg, April 15, 1825.*

THE principal circumstances which Count Nesselrode disclosed to me, in part the night before last, when I went to take leave of him, and in part yesterday, when he called to return my visit, are these, namely :

That a courier is to set off in 2 or 3 days charged with instructions addressed by each of the Representatives of the 4 Allied Powers respectively to his colleague at Constantinople ;

That the object of these instructions is to induce the Porte, by amicable overtures, to listen to a proposal of intervention on the part of the Allies ;

That occasions are to be taken for recommending an armistice as a measure of high expediency, though not to be formally proposed, as it is thought that such proposal would probably be fruitless in the present posture of affairs.

G. Canning, Esq.

STRATFORD CANNING.

No. 4.—The Duke of Wellington to Mr. G. Canning.—(Rec. April 20.)
(Extract.) *St. Petersburg, ^{April 4,} March 23, 1826.*

I INCLOSE the arrangement respecting the Greeks, with a translation.

You will see that Article III binds the Emperor not in any case to force an arrangement upon the Porte in favour of the Greeks, beyond that which was proposed by certain leading men in Greece to Mr. Stratford Canning.

G. Canning, Esq.

WELLINGTON.

(Inclosure)—*Protocol of a Conference between the Duke of Wellington, Count Nesselrode and Count Lieven.—St. Petersburg, ^{23 March,} 4 April, 1826.*

SA Majesté Britannique ayant été invitée par les Grecs à interposer ses bons offices à fin de les reconcilier avec la Porte Ottomane, ayant conséquemment offert sa médiation à cette Puissance et désirant se concerter à cet égard avec Sa Majesté l'Empereur de toutes les Russies ;

D'un autre côté Sa Majesté Impériale étant également animée du désir de faire cesser par un arrangement conforme aux vœux de la religion, de la justice, et de l'humanité, la lutte dont la Grèce et l'Archipel sont à présent le théâtre ;

Les Soussignés sont convenus :

1. Que l'arrangement à proposer à la Porte, si elle accepte la médiation qui lui a été offerte, placerait les Grecs dans les relations suivantes avec l'Empire Ottoman :

Les Grecs relèveraient de cet Empire et lui payeraient un tribut annuel dont le montant serait fixé une fois pour toutes d'un commun accord.

Ils seraient gouvernés par des autorités qu'ils choisiraient et nommeraient eux-mêmes, mais à la nomination desquels la Porte aurait une certaine part.

Dans ce mode d'existence ils jouiraient d'une entière liberté de conscience et de commerce, et gèreraient exclusivement eux-mêmes leur administration intérieure.

Pour opérer une séparation entière entre les individus des 2 nations, et pour prévenir des collisions, suite nécessaire d'une lutte aussi longue, les Grecs feraient l'acquisition des propriétés Turques qui pourraient être situés ou sur le continent, ou dans les Iles de la Grèce.

2. Que si le principe d'une médiation à interposer entre la Turquie et la Grèce avait été admis à la suite des démarches déjà faites dans cette vue par l'Ambassadeur de Sa Majesté Britannique à Constantinople, la Russie ferait dans tous les cas servir son influence au succès de la dite médiation. Le mode d'après lequel elle s'associerait aux négociations ultérieures que cette médiation amènerait avec la Porte Ottomane, et l'époque où elle y prendrait part, seraient déterminés ultérieurement d'un commun accord entre le Cabinet de Londres et celui de St. Pétersbourg.

3. Que dans le cas où la médiation offerte par Sa Majesté Britannique à la Porte Ottomane n'aurait pas été acceptée par cette Puissance, et quel que soit d'ailleurs l'état des relations de Sa Majesté Impériale avec le Gouvernement Turc, la Grande Bretagne et la Russie regarderont toujours les termes de l'arrangement mentionnée à l'Article I du présent Protocole, comme la base de la réconciliation à effectuer par leur entremise, soit en commun, soit séparément entre la Porte et les Grecs ; et ils saisiront toutes les occasions favorables de faire valoir leur influence auprès des 2 parties, afin d'opérer cette même réconciliation sur la dite base.

4. Que la Grande Bretagne et la Russie se réservent d'adopter par la suite des mesures nécessaires pour déterminer les détails de l'arrangement en question, ainsi que les limites du territoire, et les noms des Iles de l'Archipel auxquelles il sera applicable, et qu'il

sera proposé à la Porte de comprendre sous la dénomination de "Grèce."

5. Que de plus dans ce même arrangement Sa Majesté Britannique et Sa Majesté Impériale ne chercheront ni l'une ni l'autre aucune augmentation de territoire, aucune influence exclusive, aucun avantage de commerce pour leurs sujets que ceux de toute autre nation ne puissent également obtenir.

6. Que Sa Majesté Britannique et Sa Majesté Impériale désirant que leurs Alliés puissent participer aux arrangements définitifs dont le présent Protocole renferme une première esquisse, porteront le dit Protocole confidentiellement à la connaissance des Cours de Vienne, de Paris, et de Berlin, et leur proposeront de garantir de concert avec la Russie la transaction finale qui reconciliera la Turquie et la Grèce, cette transaction ne pouvant être garantie par Sa Majesté Britannique.

Fait à St. Pétersbourg, le ^{23 Mars,}_{4 Avril,} 1826.

WELLINGTON.

NESSELRODE.

LIEVEN.

No. 5.—Mr. Canning to Count Lieven.

(Extract.)

Foreign Office, August 29, 1826.

AFTER having transmitted to the Representatives of our respective Sovereigns at Paris, Vienna, and Berlin, the necessary authority for communicating to those several Courts the Protocol of the 4th of April, the next object that presents itself for our consideration is to examine how far events subsequent to the signature of the Protocol may have affected any of its provisions, and may have created either obstacles on the one hand, or facilities on the other, to the carrying of those provisions into execution.

The Memorandum which your Excellency has put into my hands affords a convenient guide for such an examination.

The questions stated in that Memorandum divide themselves into 2 parts:

1st. What has been the result of the overtures made by His Majesty's Ambassador to the Ottoman Porte in execution of his original instructions?

2ndly. What are the instructions now to be given to His Majesty's Ambassador in execution of the provisions of the Protocol of April?

I. The result of the overtures made by His Majesty's Ambassador to the Porte, for the purpose of inducing the Ottoman Government to treat for the pacification of Greece, appears in the despatches from that Ambassador.

It is a result which was naturally to be expected under the alteration of circumstances which had taken place during the interval

which had elapsed after the instructions for Mr. Stratford Canning were drawn, and before he arrived at Constantinople.

II. The inclosures exhibit the execution and effect of that part of the Ambassador's instructions which related to the project imputed to Ibrahim Pasha (with the connivance of the Porte) for the depopulation and subsequent re-colonization of the Morea.

It is not easy to draw a confident inference from the conduct of the Porte in this discussion.

In the face of the Reis Effendi's positive verbal denial of the plan imputed to the Porte and its vassal, it would be hardly warrantable to found an assumption of the truth of such an imputation on the mere refusal (not unusual with the Porte) to repeat its verbal denial in writing.

III. The instructions with which the British Ambassador was furnished on these subjects at his departure for Constantinople being thus exhausted, those to be furnished to him for his future proceedings thereupon would have been to be founded entirely upon the Protocol of April; but for an occurrence (coinciding remarkably as well with the date as the substance of the Protocol) which has already afforded to the British Ambassador an opportunity, and indeed, imposed upon him the obligation, to re-open with the Turkish Government a discussion respecting the pacification of Greece.

About the same time that the Protocol reached the hands of the British Ambassador, he received the letter from the new Greek Government.

The substance of the opinions expressed in this paper was indeed collected by Mr. Stratford Canning in his conferences with certain leading individuals among the Greeks on his way to Constantinople, and is recorded in the Protocol as the foundation of that agreement; but never till the receipt of the inclosed paper were we formally authorized to declare to the Turkish Government, as a fact of which we had positive knowledge, the readiness of the Greeks to come to an accommodation upon any terms short of absolute and total independence.

This paper supplies us with that authority.

In other respects the contents of the Protocol and of this paper coincide, as I have said, in a remarkable degree:

1st. The recognition of the suzerainty of the Porte;

2ndly. The payment of an annual tribute; both proposed by the Protocol, are both voluntarily offered by the Greeks. In return, they require what the Protocol stipulates for them:

1st. Complete independence of internal government and administration.

2ndly. Complete separation of Christian and Turkish society.

These are the essential and fundamental bases of a reconciliation.

The only material differences between the 2 projects of pacification are:

1st. That the Protocol assumes a willingness on the side of the Greeks to admit a certain qualified participation of the Porte in the original composition of the Greek Executive Government, which willingness is not expressed in the Greek paper.

2ndly. That the Greeks do not distinctly advert to the purchase of the Turkish property which is to be given up, in order to effect the required separation between Turks and Christians.

3rdly. That the Greeks propose to extend the benefit of the arrangement to the whole of Greece, including even those parts which may be occupied by the Turkish arms.

4thly. That the Greeks require, as a condition *sine quâ non* of any arrangement to be made, the guarantee of Great Britain.

With regard to all these differences, however, it is to be observed that they are not greater or more numerous than were naturally to be expected between the demands of one of 2 parties to a dispute, and the suggestions of an impartial mediator. There is nothing in them which is not susceptible of modification.

The first is an omission only, not a contradiction, in the Greek paper, of that which is contained in the Protocol. Supposing other parts of the arrangement satisfactorily adjusted, there is no reason to despair of inducing the Greeks to consent to conform to the suggestion of the Protocol in this particular.

As to the second, the Greeks having admitted the principle of a pecuniary payment, and the protocol suggesting the principle of a transfer of property, there seems to be no reason why the details of the proposed separation may not be amicably adjusted.

As to the third, the Greeks, perhaps, could ask no less; but the Protocol expressly reserves the designation of territory for an ulterior stage of the discussion.

As to the required British guarantee, it must be remembered that the demand for that guarantee is put forward by the Greeks in an application addressed to Great Britain alone; and not having in contemplation the joint intervention in their behalf of any other Power or Powers.

When the reasons which induce us to wish to decline undertaking such guarantee shall have been explained to the Greeks, and when the guarantee of other continental Powers, together with that of Russia, shall be offered to them, it is hardly to be apprehended that this difference alone will be an obstacle to a satisfactory understanding.

The British Ambassador would have been instructed immediately to bring forward a new overture to the Porte, founded on this appli-

cation from the Greeks, had not the existence of the Protocol rendered it incumbent upon us not to proceed to any new negotiation with the Porte except in concert with the Russian Government.

It is fortunate, perhaps, that there has existed this occasion for delay.

The situation of affairs at Constantinople during the last 3 months has been such as offered but an unfavourable opportunity for opening any subject with the Divan which required a patient and dispassionate consideration.

It appears to the British Government, however, that no time should now be lost in furnishing His Majesty's Ambassador with instructions conformable at once to the provisions of the Protocol, and to the propositions of the Greeks.

The details of those instructions; the corresponding instructions to be sent by the Court of St. Petersburg to its destined Representative at Constantinople; the mode and the time of inviting the Allies to lend their aid to this new attempt for the settlement of a question deeply interesting to the tranquillity of Europe; and finally, the means by which that settlement is to be recommended to the adoption of the Ottoman Government,—will form the matter of our next deliberation.

Meantime it is proposed to make to the Courts of Paris, Vienna, and Berlin, with your Excellency's concurrence and co-operation, the like confidential communication of this letter to your Excellency, and of its inclosures, as has been made of the Protocol and of the preceding part of the correspondence between your Excellency and me thereupon.

H.E. Count Lieven.

GEORGE CANNING.

No. 6.—Mr. Canning to Count Lieven.

M. LE COMTE,

Foreign Office, September 4, 1826.

I PROCEED to the consideration of the questions which your Excellency has proposed to me respecting the measures to be taken in execution of the Protocol of April, in the event (which has actually occurred) of the first overtures of His Majesty's Ambassador at the Porte proving unsuccessful.

I state these questions (I believe correctly) in the inclosed paper.

The first and fourth questions are already satisfactorily disposed of by the direct application of the Greeks for the intervention of the British Ambassador at Constantinople.

Those conditions of an arrangement between the contending parties, which the Protocol of April had suggested as equitable and reasonable, and had assumed (on the faith of individual opinions among the Greeks) to be not inadmissible on their part, the British

Ambassador is now distinctly authorized to bring forward (with few variations), as constituting conditions which the Greeks are agreed in demanding, and with the concession of which they would be contented.

His Majesty's Ambassador, therefore, by laying before the Turkish Government the propositions of the Greek letter, will not only conform his proceedings to the spirit of the Protocol, but will bring forward, in effect, all the stipulations of that instrument, with only those exceptions which are pointed out in my last letter to your Excellency. It may, perhaps, be safely left to the Turks to insist on those excepted stipulations.

Should the arrangement be found in its essential and fundamental points acceptable to both parties, those comparatively less important differences could not long obstruct the conclusion of it.

The question of British guarantee is one between Great Britain and the Greeks, with which, in this stage of the discussion, it is not necessary to embarrass ourselves.

It is proposed, therefore, that His Majesty's Ambassador shall be instructed to prepare forthwith an official note to the Porte, founded on the basis of the Greek letter.

It must be left to the discretion of the Ambassador to select the fit opportunity for making this overture, so far as that selection depends upon the state of things at Constantinople.

The second and third questions propose, respectively, the two opposite hypotheses of a successful issue to the negotiations at Akerman on the one hand, or of their failure on the other.

It is asked, "What, in the first hypothesis, are the instructions to be given to the Russian Minister at the Porte, as to the share which he is to take in the execution of the Protocol; and what the principles upon which he should act in concert with His Majesty's Ambassador?"

In the second hypothesis (which excludes the notion of a Russian Minister at Constantinople), it is asked, "In what manner will it be expedient to proceed for the purpose of giving effect to the beneficent stipulations of the Protocol?"

In the first hypothesis (that which is the most to be expected, as well as the most to be desired), it appears clear to the British Government that the avowed, direct, and cordial co-operation of M. Ribeaupierre in the overture of the British Ambassador will be the measure at once the most consonant with the spirit of the Protocol and the most likely to be conducive to its success.

The Greek letter must be the basis of the British Ambassador's overture, because from that alone he derives the authority to speak confidently of the wishes and intentions of the Greeks, and consequently the means of defeating the pretext hitherto put forward by

the Turkish Government that even if the Porte were disposed to pacification there is no assurance of a reciprocal disposition on the part of its revolted subjects.

But though the proceeding of the British Ambassador is to be thus founded upon the Greek letter, the Protocol of April may (as the British Government think) be advantageously announced at the same time to the Turkish Government, as constituting the pledge of co-operation between Russia and England.

It may be frankly avowed to the Reis Effendi that the execution of the instructions of the British Ambassador has been hitherto delayed for the express purpose of waiting the benefit of that co-operation, to be derived (as was confidently anticipated) from the happy result of the negotiations of Akerman.

The near coincidence between what was agreed upon at St. Petersburg in April by the Plenipotentiaries of Russia and England as the extent of the concessions to be reasonably required for the Greeks, with what the Greeks, at nearly the same moment, were agreeing upon at Napoli di Romania as that which would satisfy them, may be fairly stated to the Turkish Ministers as an indication at once of the altered temper of the Greeks and of the indisposition of the 2 Allied Powers to lend themselves to pretensions unnecessarily unfavourable to the interests of the Ottoman Empire.

The invitation to other Powers to accede to this arrangement and to lend the sanction of their guarantee to it, when carried into effect, will, if accepted (as there is every reason, from the reception of our first communication to the Allies, to hope that it will be), present the first instance of a combined appeal to the Porte on the part of the quintuple alliance; while, on the other hand, the refusal (if that were to be apprehended) of any one of the members of that alliance to come into the arrangement, or the different degrees (if such difference there should happen to be) of their co-operation, would not in this, as in former instances, destroy the effect of our overture to the Divan.

The Protocol of April, the bond of union between England and Russia, would still remain unaltered, and the principle of its operation unimpaired.

The second hypothesis, while it is, I trust, the more improbable of occurrence, is also the more difficult of discussion, because it is not clearly indicated in your Excellency's Memorandum what would be the immediate consequences of a failure of the negotiations at Akerman as affecting the relations of Russia and the Porte.

It is unnecessary to say how earnestly and anxiously the British Government continues to deprecate the breaking out of a war which, however the Emperor of Russia may have studied, by all His Imperial Majesty's declarations, to define and circumscribe its object and

its range, might nevertheless lead to complications fatal to the general tranquillity of Europe.

Viewed simply with reference to the Protocol, the effect of a war between Russia and Turkey must obviously be to deprive Her Majesty's Ambassador at the Porte of any assistance from direct Russian co-operation. But Article III of the Protocol would, in our judgment, be still obligatory upon Russia. In any pacification by which that war should be concluded, Russia would be morally bound to stipulate for the Greeks to the extent of the stipulations proposed in the Protocol, but bound at the same time to stipulate for them in no other manner and to no greater extent.

The self-denying engagements by which the 2 High Contracting Parties bind themselves to each other in Article V of the Protocol, would also, in our opinion, continue in full force.

There remains to be considered the concluding question:—

“What are the determinations to be taken in the event of the Porte's showing itself inaccessible to any proposition relative to Greece?”

It has been already sufficiently explained to the Court of St. Petersburg, that the British Government could not consider the refusal of the Porte to listen to proposals for an accommodation with Greece, as a just cause of war on the part of the Power through whose mediation those proposals may have been made.

But though we do not consider such a refusal as giving a right of war against the Porte, we do conceive the continuance of a contest so ferocious in its details, so hopeless of termination, and leading to excesses of piracy and plunder intolerable to civilized Europe, to be an evil of so extraordinary a character as to justify extraordinary interposition, and to render lawful any expedients, short of positive hostility, for impressing upon the recusant party the necessity of a reasonable accommodation.

In this view His Majesty's Ambassador has already brought before the Porte, in general but forcible terms (by the note of which the enclosed is a copy), the dangers which she incurs from the continuance of the piratical excesses in the Archipelago.

In this view also, the intimation held out by His Majesty's Ambassador in the name of his Government, with respect to the alleged plan of Ibrahim Pasha, has been left suspended, but ready to be carried into execution, if what is as yet only matter of suspicion should ever become matter of proof.

Russia may express sentiments and take measures analogous to these; or she may declare her knowledge and approbation of those already taken by England.

Other Powers may do the like, and such concurrence, if general, could hardly fail to make the Porte reflect seriously on her position.

But there are still other measures short of war which would be at once just in principle, and calculated to produce a salutary effect upon the feelings of the Turkish Government.

Assuming that the negotiations at Akerman succeed, and that a Russian Minister has been established at Constantinople, we think that the threat of a simultaneous withdrawing of the Christian Missions from Constantinople, upon an obstinate rejection by the Porte of all proposals of pacification, and the actual execution of that threat if necessary, might constitute a powerful appeal to the pride as well as to the prudence of the Grand Seignior.

The advisableness of taking this step, it must be acknowledged, would depend upon the concurrence of other Powers. But if Russia and England were agreed as to the expediency of taking it, the probability is that neither France nor Austria would pursue an opposite course.

Neither of those Powers could desire to afford countenance and support to the Ottoman Government in the protraction of a contest against the consequences of which both of them have recently protested in the strongest manner, and against which Austria especially has been obliged to resort to naval exertions on an altogether unusual scale.

There is yet a further step, one which the Austrian Government recommended to the adoption of the Allies at the Conferences of St. Petersburg in the spring of 1825, which if it was justifiable under the circumstances of that period cannot but be still more clearly so now, after near 2 years more of ravage and bloodshed have fruitlessly desolated Greece, and after the Greeks have proved themselves capable of maintaining for nearly 2 years more a national struggle for independence.

On that occasion it was wisely as well as justly counselled by Austria, that if the Porte should decline the intervention of the Allies, or if, having accepted that intervention, it should obstinately refuse all the concessions which they might judge indispensable for bringing the Greek insurrection to an end, the Ministers of the Allies should then assume a severer language and a more imposing attitude.

Accusing, then, and with justice, the Divan alone of prolonging those fatal troubles of which the effect is felt throughout Europe, and which place in jeopardy alike the interests of Sovereigns and of their people, the Allies would declare the impossibility of allowing such a state of things to exist longer.

They would give the Porte to understand that it was possible that the Allied Powers might draw nearer to the Greeks; they might send to Greece Consular Agents, and receive such agents in return; they might consent to recognise the existence of the Provisional

Government in that country, and they might even threaten to admit, some day, the independence of the Morea and of the islands.

It is to be presumed that when the Austrian Plenipotentiaries speak of the acknowledgment of the Morea and the islands as an independent State, they intend that acknowledgment to be subject to the qualification that such State shall have shown itself substantially capable of maintaining an independent existence, of carrying on a Government of its own, of controlling its own military and naval forces, and of being responsible to other nations for the observance of international laws and the discharge of international duties.

These are questions of fact. By acknowledgment we can only acknowledge what is. We have never recognised in Spanish America any State in whose territory the dominion of the mother-country has not been practically extinguished, and which has not established some form of government with which we could treat.

What the Austrian Plenipotentiaries mean, therefore, we conclude to be this: That we should intimate to the Turks that (in the case supposed) we should look to Greece with an eye of favour, and with a disposition to seize the first occasion of recognizing as an independent State such portion of her territory as may have freed itself from Turkish dominion.

In this sense, and with this qualification, it does appear to us that what the Austrian Plenipotentiaries have recommended is a judicious, and would probably be an effective, course of action.

If this plan was fit to be recommended when the consent of the Greeks to any reasonable terms of accommodation was uncertain, how much more clearly advisable is it now, when the Greeks have shown themselves capable of being satisfied with terms so far short of the extreme pretensions which they were heretofore supposed to entertain?

If the Allies agree now to adopt this plan, it can hardly be doubted that upon their united representations the Porte will prefer the qualified suzeraineté which the Greeks offer, and which the Protocol secures to her over Greece, to the acknowledgment of the Morea and the islands as an independent State by the most considerable Powers of Europe, with Austria at their head.

Such, therefore, are the means by which we hope to prevail with the Divan, avoiding the extremity of war, and such the order in which we think those means may be successively employed.

I have nothing further to observe to your Excellency, except that upon the principles herein laid down (if your Excellency sees nothing to object to in them) will be founded the instructions which I am about to prepare for His Majesty's Ambassador at Constantinople.

I have, &c.

H. E. Count Lieven.

GEORGE CANNING.

(Inclosure 1.)—*Memorandum relative to the Protocol of April 4, 1826.*

1. Dans le cas où les ouvertures de Mr. Stratford Canning relatives à la pacification de la Grèce auraient été repoussées, la section 3 du Protocole du $\frac{23 \text{ Mars}}{4 \text{ Avril}}$ imposant à la Russie et à l'Angleterre l'obligation de profiter séparément ou ensemble de toutes les occasions favorables de faire valoir leur influence auprès de la Porte pour effectuer l'arrangement dont ce même Protocole renferme les bases, quelles sont les idées du Cabinet Britannique sur l'accomplissement de cette obligation dans l'état actuel des choses ?

2. Le succès de la dernière démarche du Cabinet de Russie auprès du Divan doit nécessairement lui rendre de l'influence à Constantinople.

Le Cabinet de Russie se plaît également à espérer la réussite des négociations qui vont s'ouvrir à Akerman.

Dans cette dernière hypothèse, de quelles instructions le Ministre de Sa Majesté Impériale auprès de la Porte devrait-il être muni relativement à l'exécution du Protocole du $\frac{23 \text{ Mars}}{4 \text{ Avril}}$? Et d'après quels principes doit il à cet égard concerter ses démarches et son attitude avec celles de Mr. Stratford Canning ?

3. Dans le cas où, contre toute attente, les négociations d'Akerman n'auraient pas l'issue désirée, qu'elle serait encore l'opinion de l'Angleterre sur le meilleur plan à suivre pour réaliser les bien-fesantes stipulations du Protocole ci-dessus mentionné ?

4. De plus l'Angleterre a-t-elle fait, ou compte-t-elle faire maintenant, auprès des Grecs quelque démarche qui aurait pour l'objet l'accomplissement de cet acte, ou la fixation des détails qu'il a laissé indécis, et qui en vertu de la section 4 devaient être déterminés plus tard ?

5. Enfin, si la Porte était inaccessible à toute proposition relative à la Grèce, quel serait l'avis de la Cour de Londres sur les déterminations à prendre dans cette hypothèse ?

(Inclosure 2.)—*Mr. Stratford Canning to Reis Effendi.*

Pera, ce 13 Juin, 1826.

LE Soussigné invite le Reis Effendi à fixer son attention sur les faits et les observations qui suivent.

Son Excellence ne peut ignorer que les capitulations, confirmées par le Traité de Paix de 1809, constituent la base des relations amicales qui subsistent entre la Grande Bretagne et la Sublime Porte.

Il est de même notoire que l'objet principal de ces engagements est la protection du commerce Britannique dans les ports et dans les mers de la Turquie.

Le Soussigné s'est déjà trouvé contraint à se plaindre de plus
[1850—51.]

d'un acte d'injustice et de violence commis par les autorités Ottomanes au préjugé des sujets Britanniques et en dépit des Traités. Il s'est aussi trouvé dans la nécessité de réclamer contre les délais et les obstacles que la Sublime Porte ne met que trop souvent à redresser les griefs les mieux fondés.

Aujourd'hui un objet majeur, d'une importance plus grave, d'un intérêt plus urgent, se présente.

La piraterie, suite de la lutte qui désole depuis 5 ans les provinces de la Grèce, est à son comble dans l'Archipel. La sûreté de la navigation dans ces parages est détruite. Nul pavillon n'est respecté. Les bâtiments sont saisis; les cargaisons sont pillées; les équipages, très souvent maltraités, se croient heureux d'échapper avec la vie. Enfin les escadres de plusieurs Gouvernements, maintenues à grands fraix dans les eaux du Levant, ne suffisent plus pour protéger le commerce.

On demande qui sont ces forbans qui portent partout le désordre, et qui menacent de rendre inutiles et quasi nuls les engagements les plus essentiels contractés par le Gouvernement Turc envers les nations de la Chrétienté.

On répond que ce sont des sujets de la Porte qui, irrités de vexations et réduits à la misère, se livrent en désespérés au brigandage comme à l'unique moyen qui leur reste de vivre, sans retourner à une condition devenue à leurs yeux odieuse et insupportable.

Le Soussigné croit remplir les devoirs d'une amitié sincère en signalant à la Sublime Porte cet état de choses vraiment déplorable, et en l'avertissant du jugement que sa Cour doit nécessairement former de la cause de ces désordres, qui attaquent directement les intérêts de son commerce et compromettent la dignité de son pavillon.

C'est peu que la justice et la loi des nations attribuent au Gouvernement lésé le droit d'exiger que l'on indemnise ses sujets des torts et des dommages qu'ils auraient éprouvés, ou de remonter à la source du mal et y remédier d'une manière complète et permanente. Il est toutefois impossible de voir sans peine une partie intéressante de l'Europe abandonnée, dans un temps de tranquillité générale, aux horreurs d'une guerre barbare, le crime, enfanté du malheur et du besoin, s'étendre sur toute une population, et la paix même de l'Europe exposée durant des désordres à des chances périlleuses.

Le Soussigné, &c.

Reis Effendi.

STRATFORD CANNING.

No. 7.—Prince Lieven to Mr. Canning.—(Received November 20.)
MONSIEUR, *Londres, le $\frac{7}{9}$ Novembre, 1826.*

JE me suis empressé de porter à la connaissance de mon auguste maître l'office en date du 4 Septembre, dans lequel votre Excellence,

en exposant les vues de son Gouvernement relatives à la pacification de la Grèce, a examiné la marche à suivre pour amener le Gouvernement Ottoman à co-opérer à ce but, dans la double hypothèse de la rupture, ou d'une heureuse conclusion des négociations d'Akerman.

Sa Majesté l'Empereur a accueilli avec tout l'intérêt qu'elles méritaient les ouvertures pleines de franchise et de pensées utiles que cette communication de votre Excellence contenait, et l'hypothèse du succès de nos négociations avec les Plénipotentiaires Ottomans s'étant heureusement réalisée, mon auguste maître m'a autorisé de concerter avec votre Excellence (1), le mode à suivre pour communiquer aux Cours de Vienne, de Paris, et de Berlin, son office du 4 Septembre, et ma réponse de ce jour ; et (2) les moyens de les engager à prendre part aux démarches que la Russie et l'Angleterre feront auprès de la Porte, à leur imprimer ce caractère collectif si conforme aux désirs de l'Empereur comme à ceux du Gouvernement Anglais, et à mettre dans la balance tout le poids d'un accord complètement Européen.

J'ai en outre ordre d'annoncer au Cabinet Britannique, au nom de Sa Majesté Impériale, en réponse à l'office de votre Excellence du 4 Septembre :

Qu'il est convenu entre la Russie et l'Angleterre que cet office même servira d'instruction commune à M. de Ribeaupierre et Mr. Stratford Canning ;

Que dès que M. de Ribeaupierre sera arrivé à Constantinople, il aurait à se concerter avec l'Ambassadeur de Sa Majesté Britannique sur les démarches officielles et simultanées que les 2 Cours feront ensemble auprès de la Porte, pour lui communiquer le Protocole du ^{23 Mars,}
^{4 Avril,} l'inviter à y adhérer, et lui proposer également la conclusion immédiate d'une armistice ;

Qu'en cas de réponse négative de sa part, et dans la supposition que ce moyen, à la fois le plus simple et le plus propre à agir sur l'esprit du Grand Seigneur, obtienne l'assentiment des Cours alliées, ils menaceront la Porte de la retraite des Représentants de ces Cours et d'un rapprochement avec la Grèce, qui finirait par les amener à reconnaître son indépendance ;

Que si à l'expiration d'un délai qu'il s'agira de déterminer, la Porte persiste encore dans le même refus, ils effectueront leur départ et annonceront le rapprochement ci-dessus mentionné.

En communiquant à votre Excellence ces déterminations, basées sur les vues énoncées par le Gouvernement même de Sa Majesté Britannique, il me reste encore à remplir le devoir de lui réitérer ici, au nom de mon auguste maître, l'assurance que Sa Majesté sait apprécier les liens que le Protocole a formés entre les 2 Cours ; qu'elle regarde comme très heureux et très importants les résultats auxquels il a déjà conduit ; qu'elle est fermement décidée à y

donner suite ; et qu'elle a l'intime conviction de voir amenée à une issue satisfaisante l'œuvre de conciliation et de paix entreprise sous d'aussi favorables auspices.

J'ai, &c.

M. G. Canning.

LIEVEN.

No. 8.—Mr. Canning to Prince Lieven.

MON PRINCE,

Foreign Office, November 20, 1826.

I HAVE laid before the King my master your Excellency's letter of yesterday, in answer to that which I had the honour to address to your Excellency on the 4th September, and which your Excellency transmitted to Moscow for the consideration of your august Sovereign.

His Majesty has seen, with the greatest satisfaction, the cordial concurrence of the Emperor of Russia in the plan of proceeding suggested in my letter of September, for the execution of the Protocol of April, and I have received His Majesty's commands to lose no time in concerting with your Excellency the communication of the plan thus agreed upon by our 2 Courts to those of Paris, Berlin, and Vienna.

The declaration that instructions framed for His Majesty's Ambassador at the Porte, on the basis of my letter of the 4th of September, may serve also as instructions for M. Ribeaupierre, His Imperial Majesty's Envoy Extraordinary and Minister Plenipotentiary, is highly flattering to the British Government, and furnishes a strong motive for hastening the further steps in this important affair ; so that the order to His Majesty's Ambassador to enter upon the execution of his instructions may reach him as soon as possible after M. de Ribeaupierre's arrival at Constantinople.

I proceed, therefore, upon your Excellency's invitation, to propose to your Excellency that instructions should be sent without delay to the British and Russian Ambassadors and Ministers at Paris, Berlin, and Vienna, to make a joint communication to those several Courts of my letter of the 4th of September and of your Excellency's letter of yesterday ; adding thereto the expression of an earnest hope, on the part of both our Sovereigns, that those Courts may be disposed to co-operate with the signing parties to the Protocol, for the pacification of Eastern Europe, and that they will send instructions to their representatives at Constantinople to enter into unreserved communication with His Majesty's Ambassador, and with the Minister of your Imperial Master at that residence, with the assurance that Mr. Stratford Canning and M. Ribeaupierre are instructed to meet with the most entire confidence their advances towards such communication.

Whether this concert shall be established simply through the instrumentality of instructions from the several Powers to their

Representatives at Constantinople, or whether any more formal accession of those Powers to the Protocol shall take place, may according to the opinion of my Court, be best left to their own decision.

We do not pretend to insist upon such accession, but we should see it with pleasure, on the part of all or any of those Powers or we would readily accept the co-operation of all or of any of them, to the degree and in the manner in which it may be most agreeable to each to afford it.

What it is most important for us to know, as soon as possible, from each is, whether they are ready to join with us in the measure of withdrawing their Diplomatic Representatives from the Porte, in the event of an obstinate refusal on the part of the Sultan to listen to any proposal for accommodation.

Your Excellency will observe, on reference to my letter of the 4th September, that it is there stated, as our opinion, that the efficacy of the menace to withdraw the Christian Missions from Constantinople, or even of the act of withdrawing them, would mainly depend upon the degree of concurrence which it obtained from other Powers. A hope is there expressed that if Russia and England concurred in recommending it, Austria, France, and Prussia would not pursue a different course.

But the question is left open for consideration whether, if in disappointment of this hope, France, Austria, and Prussia should decline to withdraw their Missions, it would be expedient for England and Russia alone to withdraw theirs, leaving the others in continued residence at Constantinople, or whether it might not be in that case more advisable to pass over that particular measure, and to go at once to such ulterior measures as the other Powers might agree in adopting.

It appears to us, upon mature reflection, that it would be more advisable that Mr. Stratford Canning and M. de Ribeaupierre should be instructed not to bring forward the menace of withdrawing from the Porte, unless other Powers shall authorize their Representatives to concur in it.

The allies may be requested, at the same time that they return their answer, to signify it also to their Missions at Constantinople.

It is not till every hope of a favourable acceptance of the propositions of the allies is exhausted, that the menace of withdrawing the Christian Missions should (in our opinion) be employed, and it is not till after a direct reference home, and specific orders from home, that it should be actually carried into execution.

The arrangements necessary to precede or accompany such a step, especially on the part of England and France, require such an interval; and the knowledge, on the part of the Porte, that a

courier was dispatched from Constantinople on this errand, might possibly produce that reflection in the minds of the Ottoman Ministers which would render the execution of the orders with which that courier would return unnecessary.

Supposing the other Powers to decline concurring in the threat to withdraw their Representatives, we are of opinion that we should endeavour to induce the allies to resort at once to the second line of action pointed out in my letter of the 4th September, that in which Austria having been the original adviser of it, we may, it is to be hoped, reckon with confidence on her support.

Generally, it is our decided opinion that every effort should be made to secure the co-operation of our allies, and even, if opportunity offers, of other Powers; that we ought, indeed, to obtain the co-operation of all or of as many Powers, and on as many points, as we can.

It may be true that this plan of action, and the references incident to it, will occupy some time. But we do not think that a positive disadvantage.

There does not appear a likelihood of any considerable and immediate change in the state of affairs between the Porte and the Greeks.

The winter brings with it a practical armistice; and before the approach of the season favourable to the recommencement of hostilities, we trust that an armistice will have been established by Convention; which we agree with your Excellency's Government in considering as a necessary accompaniment to an amicable negotiation.

I believe I have now touched upon every point to which it appears necessary to advert in your Excellency's letter.

If I do not terminate mine without reminding your Excellency that the ultimate recognition of a separate and independent State in Greece (which forms the essential part of the Austrian plan of proceedings) is understood by us, with the qualifications explained in my letter of the 4th of September; and also that we should not consider a mere refusal of our proposed mediation by the Turkish Government as a justifying cause of war,—I beg your Excellency to be persuaded that I mention these particulars only lest, from the omission of them, the allies should conceive any unfounded alarm, unfavourable to the co-operation which we so earnestly desire, and which affords so much the best chance of success to a conciliatory negotiation.

I have, &c.

H.E. Prince Lieven.

GEORGE CANNING.

No. 9.—Count Nesselrode to Prince Lieven.—(Communicated to Mr. Canning by Prince Lieven, February 21.)

MON PRINCE,

St. Pétersbourg, le $\frac{9}{21}$ Juin, 1827.

JE me suis empressé de mettre sous les yeux de l'Empereur les rapports de votre Altesse en date du $\frac{23 \text{ Novembre}}{5 \text{ Decembre}}$ dernier. Mais comme vos dépêches nous faisaient principalement connaître les communications nouvelles que les Représentants de la Russie et de la Grande Bretagne allaient adresser aux Cabinets de Vienne, de Paris, et de Berlin, concernant la marche des négociations tendantes à la pacification du Levant, nous devons nécessairement, avant de vous faire une réponse, attendre les renseignements qui ne pouvaient tarder à nous parvenir sur l'accueil que ces communications recevraient de la part de nos alliés.

Aujourd'hui le Ministère Autrichien et le Ministère Français ayant articulé leurs opinions, le second ayant même émis une proposition spéciale, nous embrasserons dans la présente et les explications que vous avez eues avec le Principal Secrétaire d'Etat de Sa Majesté Britannique à la suite de nos dépêches du $\frac{17}{9}$ Septembre, et les ouvertures des Cours d'Autriche et de France.

Le premier sentiment qu'elles aient fait éprouver à l'Empereur est celui d'une sincère et vive satisfaction, sentiment qui résulte de la confiance réciproque dont elles offrent l'heureux témoignage. Nous essayeront de la justifier en ce qui nous concerne, mon Prince, par une franchise que nous regardons comme l'unique moyen de conserver avec nos Alliés ces relations, si amicales et si intimes, dont l'état actuel de l'Europe augmente encore le prix.

Vos explications avec Mr. Canning et les communications que nous venons d'adresser de concert avec le Gouvernement Anglais aux Cours de Vienne, de Paris, et de Berlin, roulaient en majeure partie sur les décisions à prendre dans le cas où nos démarches pour le rétablissement de la paix de Grèce n'auraient pas de succès à Constantinople. La France a adopté nos vues communes à cet égard, et de son côté elle nous a fait une proposition tendante à imprimer le caractère plus obligatoire et plus solennel d'un Traité Européen aux stipulations préalables dont nous sommes convenus avec le Cabinet de St. James dans le Protocole du $\frac{23 \text{ Mars.}}{4 \text{ Avril.}}$

Plus la pacification de la Grèce nous a toujours semblé être le complément nécessaire des résultats de nos autres négociations avec la Porte Ottomane, plus nous l'avons jugé indispensable aux intérêts généraux de l'Europe, comme à nos intérêts particuliers; enfin plus nous avons insisté sur les utiles conséquences de l'accord qui s'établirait à ce sujet, entre les principaux Etats Chrétiens, et plus nous devons trouver aujourd'hui d'avantages dans les propositions qu'énonce le Cabinet des Tuileries, plus nous devons nous empresser

de l'accueillir. Ce qui nous porte encore à y adhérer, c'est que Mr. Canning a lui-même, en dernier lieu, ouvert l'avis qu'il serait expédient de voir les autres Cours Alliées devenir Parties Contractantes au Protocole que nous avons signé à St. Petersbourg avec le Duc de Wellington, et que d'après cela nous ne saurions douter que le Gouvernement de Sa Majesté Britannique ne se prête au vœu exprimé par la Cour de France. Mais il ne suffit pas de conclure un Traité dans une circonstance pareille—il faut en combiner l'exécution ; et comme 2 moyens préliminaires ont déjà été signalés dans ce but par les Cabinets de Pétersbourg et de Londres, les questions que nous avons à discuter consistent à savoir si, d'après les calculs les plus probables, ces moyens sont suffisants pour faire atteindre aux Cours qui les emploieront l'objet de leurs désirs, et si la conclusion d'un Traité ne nous impose pas le devoir de déterminer éventuellement des mesures plus efficaces.

La matière est si importante que nous n'hésiterons pas à reproduire des observations que nous avons déjà eu occasion de développer.

Notre première remarque se rapportera à la nature même des moyens mentionnés ci-dessus, des moyens sur lesquels nous avons appelé tout récemment l'attention de nos Alliés. Pour nous convaincre jusqu'à quel point il nous est permis d'en espérer la réussite, nous examinerons d'abord les difficultés que leur application peut souffrir ; nous les apprécierons d'après la seule règle que nous possédions pour juger de l'avenir—d'après l'expérience du passé, et les cas à peu près analogues qu'ont offert nos négociations précédentes avec la Porte ; et nous verrons si nous avons lieu de croire à l'applanissement immédiat des obstacles auxquels il convient de nous attendre. La Grande Bretagne nous a proposé, au mois de Septembre, 1826, d'arrêter en principe que si la Porte repoussait obstinément les ouvertures qui lui seront faites, les Puissances intervenantes rappelleraient leurs Représentants accrédités à Constantinople, et qu'elles se montreraient disposées à reconnaître un jour l'indépendance de la Grèce. La première de ces mesures est conditionnelle aux yeux des Cabinets de Londres et de Paris ; ils ne l'adopteront qu'autant qu'elle sera simultanément prise par toutes les Puissances, qui réclameraient la pacification de la Grèce. La seconde ne doit être pour le moment qu'une simple menace, une menace dont les événements ultérieurs peuvent amener ou ne pas amener la réalisation. Ni l'une ni l'autre n'ont motivé d'opposition de notre part, mais ni l'une ni l'autre ne nous ont jamais inspiré une entière confiance ; et nous nous placerions, nous-mêmes et nos Alliés, dans une situation essentiellement fautive si nous leur dissimulions qu'à notre avis, dans le cas où ces moyens de négociation fussent les seuls auxquels on dût avoir recours, nous aborderions un

des problèmes les plus difficiles dont la politique se soit jamais occupée, avec peu de chances d'arriver à une solution satisfaisante. Le rappel des Ambassadeurs doit être simultané. Nous concevons parfaitement les motifs qui font désirer cet accord, et nous sommes les premiers à en reconnaître les avantages : mais d'un côté il n'existe pas jusqu'à présent, et peut-être, avec les conditions auxquelles la Cour de Vienne veut le subordonner, sera-t-il difficile à établir ; de l'autre, nous voyons que dans ses dernières instructions à Mr. Stratford Canning, le Ministère Anglais lui donne ordre de ne point quitter Constantinople, quand même l'accord en question se réaliserait, avant d'en avoir reçu l'injonction spéciale. Nos doutes sur les effets de cette mesure doivent donc nécessairement être proportionnés à l'incertitude qui règne sur son adoption. Mais nous irons plus loin. Nous supposerons que la mesure du rappel des Ambassadeurs soit adoptée dans toute son étendue ; est-il bien démontré, et peut-on nous garantir, qu'elle produise une impression assez forte, et qu'au moment où les Représentants des Cours Alliées quitteront Constantinople le Divan change de politique et de langage ? Ce changement ne nous semble pas certain, et c'est sur l'autorité de l'expérience que se fondent nos appréhensions. En 1821, la Russie se trouva forcée de prodiguer les déclarations comminatoires à la Porte, elle se trouva forcée de rompre ses relations diplomatiques et commerciales avec elle ; et néanmoins elle n'obtint pas l'adhésion du Gouvernement Turc à ses plus justes demandes. On nous objectera, sans doute, que si le rappel des Ambassadeurs était simultané, il légitimerait un meilleur espoir. Nous répondrons que cependant la crainte d'une lutte corps à corps avec la Russie est une de celles qui agissent avec le plus de Puissance à Constantinople.

Les menaces articulées à plusieurs reprises par le Vicomte de Strangford n'ont jamais arraché que de vaines promesses, enfreintes presque aussitôt qu'énoncées ; d'ailleurs à ces diverses époques nos demandes n'étaient peut-être pas en opposition aussi directe avec les préjugés des Turcs que le serait celle d'adhérer aux bases du Protocole du ^{23 Mars,}_{4 Avril,} et si d'un côté les arrangements dont il consacre le principe sont conformes aux intérêts bien entendus de l'Empire Ottoman, de l'autre il faut nous préparer à combattre, dans cette circonstance, tout ce que la prévention peut inspirer d'erreurs, tout ce que des passions aveugles peuvent donner de ténacité. Il est en outre une vérité incontestable que l'habitude de négocier avec la Porte nous a révélée—c'est que les Gouvernements Orientaux sont doués d'un sentiment extraordinaire pour distinguer les simples démonstrations, quelque caractère qu'on leur imprime, des résolutions sérieuses dont l'accomplissement ne manque pas de suivre l'annonce. C'est ainsi que longtemps la Russie n'a pu recueillir

aucun fruit de sa modération, malgré le langage menaçant que ses Alliés parlaient à la Porte, mais que 5 mois ont suffi pour couronner une œuvre vainement tentée pendant 10 années consécutives, dès qu'un sentiment intérieur qui ne les trompe jamais eut fait connaître aux Turcs que la patience avait atteint son terme, et que les effets succéderaient aux paroles. C'est par suite d'un principe politique et religieux que les Orientaux ne transigent qu'avec une nécessité absolue, mais qu'en revanche, le jour où cette nécessité se manifeste, la transaction s'accomplit. Ce système est dans leur culte, comme dans leurs mœurs, dans leurs traditions, comme dans l'essence de leur Gouvernement; et il nous autorise à croire que quand même la retraite des Représentants de la Russie, de la Grande Bretagne, de la France, et de la Prusse (celle de l'Internonce d'Autriche est fort douteuse, d'après la réponse du Cabinet Autrichien) viendrait à s'effectuer, elle ne nous conduirait à l'objet de nos vœux qu'autant qu'elle serait ce qu'elle a presque toujours été dans la diplomatie, le signe infaillible, si ce n'est la conséquence immédiate, de l'emploi d'une vraie force coercitive. Mais alors, comme nous l'avons observé, cette mesure en exige d'autres; elle exige donc aussi que ces autres mesures soient combinées, qu'elles soient arrêtées, et mises à exécution de concert. Nous ne prétendons pas dire par là qu'elle ne doive pas être employée, mais nous affirmons que si elle est seule, elle peut être insuffisante; que dans ce cas les Puissances Alliées auront compromis leur dignité sans avoir avisé aux moyens de la soutenir; qu'un tel inconvénient doit être prévu, parce qu'il est possible, et que par conséquent on doit s'entendre dès à présent sur des résolutions qui puissent nous en préserver.

La seconde proposition que nous avons fait à nos Alliés d'accord avec le Cabinet de St. James se présente sous un double point de vue. Elle consiste dans l'idée d'annoncer à la Porte qu'en rejetant nos ouvertures elle opérerait un rapprochement entre les Grecs et les Cours intervenantes, qui pourraient se décider à reconnaître un jour leur entière indépendance. Il nous semble que cette idée offre incontestablement un côté utile. Un rapprochement avec les Grecs procurerait l'occasion d'arracher ce peuple au double fléau des dissensions intestines et des influences révolutionnaires qui l'agitent; mais considéré sous le rapport de l'effet qu'il produirait sur le Divan, le second moyen de négociation ne paraît-il pas moins décisif encore que le précédent, et peut-il être couronné de succès? La pénétration des Turcs leur suffira sans doute pour distinguer de prime abord que ce n'est pas dans son état actuel que la Grèce peut être reconnue par les premières Cours de l'Europe; elle leur suffira pour prendre la résolution de presser la guerre, afin de répondre par la destruction des Grecs à la vaine menace des Cabinets Alliés. Cependant les inconvénients si graves qui ont motivé la signature

du Protocole du ^{23 Mars}/_{4 Avril} subsisteraient dans toute leur force. La lutte se prolongerait; elle ferait appréhender les mêmes résultats; les actes de piraterie réclameraient les mêmes mesures de répression; le commerce éprouverait les mêmes entraves, les mêmes dangers; la position de la Russie à l'égard de la Porte continuerait à être également précaire; et enfin dans la supposition où les Cours Alliées voudraient réaliser leur menace, la reconnaissance de l'indépendance Grecque serait-elle facile? Serait-elle conforme aux stipulations du Protocole du ^{23 Mars}/_{4 Avril}? Ne nous ferait-elle pas sortir des bornes de cet acte, ne nécessiterait-elle pas des arrangements nouveaux, et pourrait-on compter avec certitude sur le concours des Grandes Puissances Européennes pour les conclure? Nous le répétons, la Russie a donné au mois de Septembre son assentiment à l'emploi de cette déclaration comminatoire, et elle ne le retire point. Il y a plus, elle n'ignore pas la nécessité d'épuiser les voies de conciliation, et elle s'estimerait essentiellement heureuse de voir ses présents déçus, et le Divan céder, soit au rappel des Ambassadeurs, soit à la menace de reconnaître un jour l'indépendance de la Grèce. Mais ses raisonnements la ramènent toujours d'une manière invincible à la conclusion que ce second moyen de négociation, s'il est uniquement adopté comme tel, peut n'être pas plus efficace que le premier, parcequ'il est difficile d'admettre que la perspective seule d'un mal incertain doive forcément vaincre l'opposition du Gouvernement Turc et que dès lors, dans cette hypothèse aussi, ce serait manquer de prévoyance, ce serait s'abandonner à de dangereuses illusions, que de ne pas calculer la possibilité d'un refus persévérant, et de ne pas combiner les mesures qu'elle réclame.

Les considérations que nous venons de rappeler ne se rapportent encore qu'au Protocole du ^{23 Mars,}/_{4 Avril,} mais combien n'acquerreraient-elles pas plus de forces si on les appliquait à un Traité en forme entre les premières Puissances de l'Europe? S'il est vrai (et nous croyons difficile de révoquer en doute la justesse de cette assertion) que dans l'état présent des choses les Cours alliées se compromettraient en demandant l'adhésion de la Porte aux arrangements qui tendraient à la pacification de la Grèce, sans vouloir ou sans pouvoir l'obtenir, il est évident que leur défaite entraînerait des conséquences encore plus fâcheuses si elles essayaient cette résistance victorieuse après avoir signé un Traité mutuellement obligatoire, un Traité dont les clauses prendraient *ipso facto* le caractère le plus imposant. Autant l'Empereur sera empressé de conclure un Traité, autant il croirait inutile de revêtir de formes plus solennelles le Protocole du ^{23 Mars,}/_{4 Avril,} sans arrêter tout ensemble des mesures plus certaines pour son exécution. Selon nous ce serait négocier en pure perte, laisser s'écouler un temps précieux, et par conséquent agir contre le bien

de l'affaire qu'il est urgent de terminer, et contre l'intérêt de la cause générale.

Cette affaire n'entre pas (nous pensons l'avoir assez démontré à plus d'une reprise depuis plusieurs années), cette affaire n'entre pas dans le domaine du droit commun. Si elle y entraît, la force des armes Turques aurait seule eu le privilège de trancher la question, et les Puissances Européennes ne seraient pas plus autorisées à conseiller au Grand Seigneur des sacrifices spontanés qu'à lui demander d'une manière péremptoire de souscrire aux arrangements dont le Protocole du ^{23 Mars,}_{4 Avril,} présente l'esquisse. Mais le droit se modifie, soit par l'impossibilité absolue de l'exercer dans son état primitif, soit lorsqu'en l'exercant on porte un préjudice visible à un tiers; or, dans le cas de la Grèce ce tiers qui subit un vrai préjudice, c'est l'Europe. L'Europe, en effet, voit la haine arrivée entre les parties litigantes au point que la guerre, abandonnée à son propre cours, ne peut finir que par la destruction de l'une d'elles, et l'Europe à unanimité reconnue d'un côté que la destruction de tout un peuple Chrétien n'était pas un événement admissible pour la Chrétienté, de l'autre que l'état présent de la Grèce offre des inconvénients les plus graves, parcequ'il entretient dans tous les pays une agitation dangereuse, parcequ'il met des entraves au commerce, parcequ'il encourage la piraterie, parcequ'il commande des mesures de répression qui occasionnent des frais considérables, parcequ'enfin une expérience de 5 années révolues a prouvé que le Gouvernement Turc est dans l'impossibilité d'y apporter un terme. Dans cette alternative l'Europe est plus qu'en droit, elle est en devoir d'exercer une intervention bienfaisante, et si son intervention est rejetée ses intérêts et ses besoins la forcent de faire respecter ce droit et ce devoir. Tels sont, suivant nous, les motifs généraux qui justifient le Protocole du ^{23 Mars,}_{4 Avril,} et qui légitimeront éternellement aux yeux du monde civilisé les résolutions qu'on adoptera pour l'exécution de cet Acte. La Russie l'a provoqué, parceque c'est sur la Russie que pèsent les inconvénients énumérés ci-dessus, parceque depuis 5 années elle les supporte avec une modération constante, et que toutefois elle ne saurait les supporter sans fin, parcequ'on ne peut pas lui demander de laisser un peuple qui professe sa religion, qui était un des plus utiles intermédiaires de son commerce, qui envoyait 300 vaisseaux dans les ports de ses provinces du midi, périr tout entier sous le glaive Musulman. Mais la Russie, en signant ce même Acte, loin de se réserver des avantages exclusifs, se les est interdits; loin de vouloir anéantir les anciens droits de la Porte sur la Grèce, elle a proposé d'en modifier les formes extérieures, et d'en améliorer les résultats. Lors donc que la Russie réclame l'accomplissement du Protocole de ^{23 Mars,}_{4 Avril,} ce n'est pas son propre bien

qu'elle poursuit, c'est le bien de l'Europe, c'est même le bien de l'Empire Ottoman qu'elle s'efforce d'assurer. Si ses principes à l'égard de la Grèce avaient été moins purs, si elle avait voulu se prévaloir de sa position et du droit de faire cesser une guerre dont elle se ressent plus vivement que les autres Puissances, il lui eût été facile de placer au nombre des conditions du Traité d'Akerman, et d'obtenir la pacification de la Morée et de l'Archipel. Toutefois, telle n'a pas été sa politique. Elle a mieux aimé conserver un caractère collectif à une affaire qu'elle avait déjà traitée collectivement, et renforcer son droit spécial d'arriver à la paix qu'elle désire, du droit des autres Gouvernements Européens. S'il en est résulté pour elle des retards, c'est une raison de plus qu'elle allègue afin de hâter aujourd'hui un événement qu'elle pouvait faire naître naguères sans le concours de ses alliés.

Les scrupules que manifeste la réponse du Cabinet Autrichien nous ont engagés dans cette explication, car pour les Puissances qui ont arrêté le Protocole, et pour celle qui propose de le convertir en Traité, ces doutes sont résolus, et la question se réduit à décider si elles veulent ou ne veulent pas réaliser des stipulations évidemment salutaires. A cet égard il nous semble que les antécédents ne leur accordent plus d'option. L'existence du Protocole du ^{23 Mars,}_{4 Avril,} est connue des Turcs. Elle est connue des Grecs, puisque Mr. Stratford Canning les a informés qu'il n'attendait que l'arrivée de M. de Ribeaupierre pour effectuer des démarches en leur faveur. Elle est connue de l'Europe entière, puisque toutes les gazettes en ont déjà fait mention. Enfin, en dernier lieu, Mr. Stratford Canning a jugé le moment si propice aux négociations avec la Porte qu'il a témoigné le désir d'être soutenu sans délai par le Représentant de l'Empereur à Constantinople. Sa Majesté Impériale remplit avec trop de religion ses engagements pour qu'il lui fût possible de se refuser à cette demande, et nous nous sommes hâtés en conséquence d'expédier à M. de Minciaky l'instruction confidentielle dont copie ci-jointe. Ainsi, au moment où nous traçons ces lignes, l'attente générale est déjà excitée, peut-être même les premiers pas sont-ils faits, peut-être la discussion est-elle ouverte. Serait-il temps encore de reculer en décidant qu'on n'emploiera que des moyens de négociations dont le succès est douteux ? Nous ne le pensons pas. Si un commun intérêt a dicté le Protocole du ^{23 Mars,}_{4 Avril,} c'est maintenant l'honneur commun qui semble en commander l'exécution, et nous méconnaîtrions les principes qui dirigent la politique de nos alliés si nous insistions davantage sur une considération de cette nature. Mais il en est une autre que nous ne passerons pas sous silence. La conviction acquise par le Divan de l'accord qui existe entre la Russie et l'Angleterre au sujet de la Grèce, va forcément influencer sur l'état de

nos relations avec la Porte. Elle va de nouveau l'aigrir, elle va nous priver momentanément au moins de l'ascendant que devait nous procurer la Convention d'Akerman, et nos sacrifices augmenteront encore si nous sommes obligés de suspendre nos rapports diplomatiques avec le Cabinet de Constantinople. Plus cette position peut devenir fâcheuse, plus nous sommes en droit d'exiger qu'elle dure le moins possible, et que par une juste compensation elle serve à atteindre le but pour lequel nous aurons consenti à le subir. Ici encore l'intérêt de l'Europe s'accorde avec le nôtre, car notre situation à l'égard de la Porte étant précaire,—et elle le sera tant qu'une paix solide n'aura pas été rendue à la Grèce,—tous les autres Etats se trouvent essentiellement intéressés à opérer, par le rétablissement de cette paix si utile, notre complète et durable réconciliation avec l'Empire Ottoman. Admettre d'autres opinions sur ces 2 points, ce serait croire, selon nous, ou qu'en signant le Protocole du ^{23 Mars,}_{4 Avril,} et en y accédant, on s'est proposé un objet important, avec la réserve de ne le poursuivre que par des voies qui n'y peuvent pas conduire, ou que nous avons nous-mêmes donné les mains à des négociations éternellement stériles, dont la seule conséquence serait de compromettre nos propres avantages; conclusions que la raison seule désavoue et que repousse d'ailleurs notre légitime confiance dans la bonne foi de nos alliés.

Convaincu de leur loyauté et de leurs lumières nous résumerons ici en peu de mots les observations et les décisions de Sa Majesté Impériale :

1. L'Empereur consent à la proposition du Cabinet des Tuileries, de convertir en Traité le Protocole du ^{23 Mars,}_{4 Avril,} et la Russie signera ce Traité avec toutes les Puissances qui voudront le signer également. Pour en faciliter la négociation, l'Empereur consent même à ce qu'il soit discuté et conclu à Londres, et m'ordonne de vous munir à cet effet des pleins pouvoirs et instructions nécessaires.

2. L'Empereur ne pouvant admettre comme entièrement certain le succès des 2 moyens coercitifs déjà arrêtés entre les Cours de St. Pétersbourg, de Londres, et de Paris, pour le cas où la Porte rejetterait leurs ouvertures, ne donne son consentement à la conclusion du Traité ci-dessus mentionné que sous la condition d'y faire insérer une clause secrète, ou d'y joindre, soit un Protocole, soit des déclarations séparées, spécifiant les mesures qui seraient prises par les Puissances Contractantes, dans la supposition où les 2 moyens dont il vient d'être parlé ne seraient pas suffisants.

3. Pour mieux expliquer notre pensée, nous proposerons de graduer les moyens coercitifs en général de la manière suivante :

(a.) Menace d'être forcé à un rapprochement immédiat avec les Grecs. Cette déclaration serait à notre avis plus efficace et moins

compromettante que si on l'associait à l'expression du dessein de reconnaître un jour l'indépendance de la Grèce : moins compromettante, parcequ'elle ne nous ferait pas prendre un engagement peut-être impossible à remplir ; plus efficace, parcequ'elle serait d'une réalisation plus prompte. Le rapprochement s'opérerait moyennant l'envoi d'agents publics des Puissances Contractantes auprès des autorités Grecques.

(b.) Rappel des Représentants des Puissances Contractantes, si au bout d'un mois la menace d'un rapprochement avec les Grecs ne produit pas l'effet désiré.

(c.) Si le rappel des Représentants n'amène pas dans le terme de semaines l'adhésion de la Porte, adoption d'une mesure que l'Angleterre a signalée elle-même et dont l'efficacité ne semble pas douteuse, c'est-à-dire, réunion des escadres des Puissances Contractantes dans le but d'empêcher tout secours d'hommes, d'armes, ou de vaisseaux Egyptiens ou Turcs, d'arriver en Grèce ou dans l'Archipel. Ces mêmes escadres traiteraient dès lors les Grecs en amis.

(d.) Si, par impossible, cette mesure était encore insuffisante, clause portant que les Puissances Contractantes continueraient à poursuivre leur but, et qu'elles arrêteraient à cet effet des déterminations ultérieures, qu'on pourrait s'occuper à concerter dès à présent.

Nous avons déduit les motifs impérieux qui nous engagent à proposer cette marche, et nous terminerons la présente en abordant avec la même franchise les objections que nos idées peuvent faire naître.

Il est possible d'abord qu'on ne se rende pas aux arguments qui nous paraissent établir la vérité de nos assertions relativement au peu de succès que peuvent avoir les 2 moyens coercitifs déjà concertés entre la Russie, la Grande Bretagne, et la France. Mais de 2 choses l'une : ou l'on a la ferme conviction que ces moyens sont suffisants, et alors on ne s'expose à aucun risque en concertant des résolutions ultérieures que l'on peut appréhender, mais que l'on serait sûr de ne pas accomplir ; ou bien on n'a pas cette conviction, et alors nous ne saurions concevoir comment on joindrait le refus d'arrêter d'autres mesures au désir d'exécuter le Protocole du

23 Mars,
4 Avril.

Il est possible encore que la crainte d'en venir à une véritable guerre contre les Turcs produise une juste hésitation. Ici nous invoquerons et notre expérience récente et le témoignage de Mr. Stratford Canning. Cet Ambassadeur croit le moment favorable aux négociations avec la Porte, parceque la Porte est hors d'état de nous opposer une résistance réelle. La Convention d'Akerman en offre la preuve, mais elle prouve aussi que la Porte ne cède qu'à

une nécessité évidente. Il a fallu, pour ainsi dire, qu'elle vit briller nos armes pour déférer à nos vœux. Nous pouvons donc présumer qu'il en sera de même dans les affaires Grecques; qu'elle n'admettra nos propositions que quand elle verra les Alliés irrévocablement décidés et déjà prêts à agir, mais qu'elle les admettra avant qu'ils n'agissent en effet.

Du reste, quand même des hostilités auraient lieu, l'issue en serait assurée et le but déterminé d'avance. C'est vers ce but, et ce but seul, que les engagements de la Russie lui imposeraient le devoir de marcher. C'est vers ce but que la dirigeraient encore ses propres intérêts, car les résultats de la Convention d'Akerman joints à la pacification de la Grèce, nous laisseraient-ils rien à désirer? Et les vœux des autres Cours de l'Europe ne seraient-ils pas également exaucés quand elles verraient ainsi disparaître tous les anciens germes de ces alarmantes discussions qui s'élevaient entre le Cabinet de Pétersbourg et l'Empire Ottoman? Jamais, nous osons l'affirmer, entreprise plus utile n'aurait été tentée avec plus de gages de sécurité et de réussite, dans la guerre et dans la paix.

Votre Altesse est autorisé à communiquer cette dépêche au Principal Secrétaire d'Etat de Sa Majesté Britannique.

Recevez, &c.

S.E. Prince Lieven.

NESSELRODE.

No. 10.—Count Nesselrode to Prince Lieven.—(Communicated to Mr. Canning by Prince Lieven, May 6.)

MON PRINCE,

St. Pétersbourg, le $\frac{6}{18}$ Avril, 1827.

A LA suite d'une longue attente le Comte de Bombelles vient de nous communiquer enfin les instructions dont la Cour de Vienne a muni son Ambassadeur près Sa Majesté Britannique relativement au projet de Traité que nous avons invité nos alliés à conclure pour la pacification de la Grèce.

Quand la présente vous parviendra, mon Prince, vous aurez déjà eu le temps de juger les opinions de l'Autriche, et vous connaissez trop les principes ainsi que les vœux de l'Empereur pour n'avoir pas pressenti que Sa Majesté Impériale serait vivement au regret de voir la Cour de Vienne persister, en ce qui regarde la pacification de la Grèce, dans des idées que nous avons si souvent combattues, les appuyer d'arguments que l'expérience réfute, altérer les bases du Protocole du ^{23 Mars,}_{4 Avril,} en subordonnant à des conditions nouvelles les arrangements qui auraient pour objet de rendre la paix à la Turquie d'Europe, ne pas adhérer aux mesures coercitives dont l'adoption nous paraît indispensable dans le cas où la Porte n'opposerait que des refus opiniâtres à nos justes demandes, indiquer elle-même dans cette hypothèse le moyen décisif, sans doute, d'une

rupture, mais se hâter d'en détruire aussitôt tout l'effet, n'en faire qu'une vaine menace et en soumettre le réel emploi à toutes les chances d'une négociation ultérieure, dont rien ne réglerait la marche, dont rien n'autoriserait à prévoir le terme.

Certes de telles ouvertures sont loin de répondre aux espérances que nous donnait l'expédition de M. de Tatischeff, dont j'ai adressé copie à votre Altesse sous la date du 11 Mars, et surtout la dépêche qu'il avait mise sous les yeux du Prince de Metternich, et que ce Ministre avait approuvée dans toute sa teneur. Au surplus, quel que soit le système que suive l'Autriche, ou qu'elle se propose de suivre dans les affaires d'Orient, la détermination de Sa Majesté l'Empereur est irrévocablement arrêtée. Nous avons déclaré avec une entière franchise, dès qu'il s'est agi sérieusement de l'exécution du Protocole du ^{23 Mars,}_{4 Avril,} qu'une fois engagés dans la question du rétablissement de la paix entre les Grecs et les Turcs, il ne serait plus en notre pouvoir de revenir sur nos pas ; que toute démarche à ce sujet compromettrait pour nous le résultat principal de la Convention d'Akerman ; que par conséquent nous n'entamerions l'affaire qu'avec l'inébranlable résolution de la terminer. Or, cette démarche a eu lieu ; elle a été faite par l'Ambassadeur de Sa Majesté Britannique à Constantinople ; elle n'a été appuyée qu'à sa demande par l'Agent de Sa Majesté Impériale, et c'est encore d'après ses instances, c'est de concert avec lui, qu'elle a été renouvelée par M. de Ribeaupierre. Dans un pareil état de choses l'Empereur ne saurait reculer devant les conséquences des engagements qu'il a pris et des propositions qu'il a soutenues. Accepter maintenant une réponse négative de la part des Turcs, ce serait renoncer de la nôtre, à la considération que nos négociations de l'année 1826 nous ont fait acquérir auprès de la Porte ; ce serait la perdre aux yeux même du reste de l'Europe. Sa Majesté Impériale ne pourra jamais consentir à ce double sacrifice, et la pacification de la Grèce, aux termes du Protocole du ^{23 Mars,}_{4 Avril,} devient pour la Russie une nécessité à laquelle il lui est désormais impossible de se soustraire.

Nous nous flattons, mon Prince, que voyant cette nécessité et la partageant, puisque d'un coté l'Angleterre a signé le Protocole du ^{23 Mars,}_{4 Avril,} et que de l'autre c'est son Ambassadeur qui a abordé le premier avec la Porte la question du rétablissement de la paix dans le Levant, le Cabinet de Londres a déjà adhéré sans réserve aux principes et aux mesures qu'indique le projet de Traité dont vous lui avez donné connaissance, quelles que soient à cet égard les résolutions du Cabinet de Vienne. Sans doute il les déplorera comme nous ; mais comme nous aussi, loin de se laisser détourner par elles d'une entreprise utile, loin de rejeter les seuls moyens qui puissent en assurer le succès, il sentira le besoin de redoubler d'efforts

pour accomplir cette œuvre salulaire, tout en accordant à l'Autriche la pleine liberté de suivre la politique qu'elle juge la plus convenable.

Nous exprimons le même espoir au Cabinet des Tuileries, et c'est par l'entremise du Comte Pozzo di Borgo que nous adressons à votre Altesse la présente dépêche.

L'intention de Sa Majesté est que vous en fassiez communication au Principal Secrétaire d'Etat.

Recevez, &c.

Prince Lieven.

NESSELRODE.

LAW of Sweden for the prevention of Slave Trade.—Stockholm, February 7, 1830.

(Traduction.)

Nous, Charles Jean, par la grâce de Dieu, Roi de Suède, de Norvège, des Goths et des Vandales, savoir faisons : qu'avec le concours des Etats Généraux du Royaume, nous avons jugé à propos d'établir la suivante :

Loi Pénale contre la Traite des Noirs et la participation à ce Trafic.

§ 1. Quiconque, de dessein prémédité, enlève un ou plusieurs nègres, dans le but de les transporter comme esclaves à un endroit quelconque, ou afin de les vendre comme esclaves ou d'en faire le trafic, ou bien qui, sciemment, prend à bord d'un navire, y arrête ou enferme un ou plusieurs nègres, dans le but de les transporter ou de les importer quelque part comme esclaves, aura encouru la peine de mort.

§ 2. Aura encouru la même peine celui qui, lui-même, ou par d'autres personnes, armerait ou fréterait un navire ou en permettrait l'emploi pour le transport des nègres, et qui par là aurait contribué à la consommation des délits indiqués dans le § précédent. Si le délit n'a pas été consommé, le coupable sera condamné aux travaux forcés à vie dans une forteresse, si c'est un homme, et dans une maison de correction, si c'est une femme.

§ 3. Quiconque, sans que le délit puisse se référer à aucun de ceux mentionnés dans les §§ 1 et 2, s'engage lui-même dans la Traite des Noirs, ou qui, comme agent, prête la main à l'achat ou à la vente de nègres, ou qui commande à quelqu'autre, ou lui conseille d'enlever des nègres, ou d'en faire la Traite, ou qui emploie ou aide quelqu'un dans ce but, ou qui, par l'offre de moyens, assistance personnelle, contrat d'emprunt, de subvention ou d'aliénation d'argent, ou de ce qui a valeur d'argent, l'expédition de documents de sûreté ou autres,

sciemment prête la main à la Traite des Noirs ou à leur traitement comme esclaves, sera condamné aux travaux forcés de 5 à 20 ans dans une forteresse, si c'est un homme, et dans une maison de correction, si c'est une femme.

§ 4. Quiconque de l'équipage d'un navire expédié pour la Traite des Noirs, ou pour l'enlèvement des nègres, a su d'avance, ou quand il s'engagea au service, que ce navire était destiné à ce but, sera condamné aux travaux forcés de 2 à 8 ans dans une forteresse, si, pendant son séjour à bord, ce bâtiment a été employé à cet usage, bien qu'il n'ait eu rien à faire avec les nègres ou avec leur traitement.

§ 5. Quiconque aura pris part, d'une autre manière moins efficace, à quelqu'un des délits susmentionnés, sera condamné aux travaux forcés d'un à 4 ans dans une forteresse ou maison de correction.

§ 6. Le fonctionnaire public Suédois qui, dans l'exercice de son emploi, favorise à dessein la Traite des Noirs, ou qui autrement se rend coupable d'y avoir participé, sera, à cette cause, et s'il n'est pas condamné à mort ou aux travaux forcés à vie dans une forteresse, condamné, outre la perte de son emploi, à une peine double de celle ci-dessus statuée pour les particuliers.

De même il est enjoint à tout fonctionnaire public, dans tout ce qui dépend de lui comme employé, de découvrir avec zèle et de dénoncer toute contravention à cette loi, de donner les renseignements nécessaires à cet égard à qui de droit, et de contribuer soigneusement à l'appréhension des criminels, et à leur mise en accusation devant le tribunal compétent en Suède, sous peine de ce que toute condescendance à cet égard sera sévèrement poursuivie et punie comme une faute commise dans l'exercice de ses fonctions.

§ 7. Les contraventions à cette Loi doivent être dénoncées et jugées par devant le tribunal compétent de l'endroit en Suède où le délit a été commis, ou bien, quand il a été commis dans l'étranger, pardevant le tribunal du lieu dans le royaume où le ou les criminels sont d'abord arrivés.

§ 8. Sera confiscable avec toute sa cargaison, tout navire appartenant à un sujet Suédois qui sera trouvé avoir pris à son bord des esclaves nègres.

Sera également confiscable tout argent ou valeur d'argent qui de la manière mentionnée dans les §§ 2 et 3, aura été négocié pour le trafic des nègres, ou bien un équivalent, si la somme a déjà été employée.

Quand la plainte en justice est rendue pardevant un tribunal de Suède, la moitié de ce qui a été jugé confiscable sera dévolue à la Couronne, et l'autre moitié à celui qui a découvert le délit et qui au su en fournir la preuve.

rés

Lorsqu'au contraire la confiscation a été jugée par les tribunaux spéciaux auxquels Sa Majesté a attribué cette juridiction, en conformité de Traités avec d'autres Puissances, sera alors devolu à la Couronne seule, tout ce qui reviendra au Fisc Suédois d'après le jugement rendu pardevant le tribunal mentionné, déduction faite des frais.

§ 9. Cette loi ne sera pas applicable au cas qu'un sujet Suédois aura employé des esclaves pour son propre usage, ou qu'il les ait achetés ou vendus dans ce même but dans un pays, où la loi reconnaît le droit de posséder des esclaves. Du reste le droit de posséder un esclave nègre cesse dès le moment qu'il est arrivé sur le sol Suédois, où aussitôt il devient libre.

Sur quoi tous ceux à qui il appartient ont à se régler fidèlement. En foi de quoi nous avons signé la présente de notre propre main et y avons fait apposer notre grand sceau royal.

Fait au Château de Stockholm, le 7 Février, 1830.

CHARLES JEAN.

ORDINANCE of the King of Sweden, for the Suppression of the Slave Trade.—Stockholm, March 1, 1830.

Nous, Charles Jean, par la grâce de Dieu, Roi de Suède et de Norvège, des Goths et des Vandales, savoir faisons :

Qu'en approuvant la demande faite à cet égard par les Etats-Généraux du Royaume, nous avons jugé à propos d'ordonner que notre Ordonnance du 7 Février de l'année courante, relative aux peines infligées à la Traite des Noirs et à la participation à ce trafic, devront également être applicables à tout Commerce d'Esclaves et à la participation à ce crime, quelle que soit la race à laquelle appartiennent les individus livrés à ce trafic. Sur quoi tous ceux à qui il appartient ont à se régler fidèlement.

En foi de quoi nous avons signé la présente de notre propre main et y avons fait apposer notre grand sceau royal.

Fait au Château de Stockholm, le 1 Mars, 1830.

A. THURING.

CHARLES JEAN.

DECRET relatif à la Promulgation du Traité de Commerce et de Navigation, conclu le 5 Novembre, 1850, entre la France et la Sardaigne.—Paris, le 10 Février, 1851.

LE Président de la République,

Vu l'Article LVI de la Constitution ;

Vu la loi adoptée par l'Assemblée Nationale Législative dans la séance du 30 Décembre, 1850 ;

Sur le rapport du Ministre des Affaires Etrangères,

DECRETE :

ART. I. Le Traité de Commerce et de Navigation conclu, le 5 Novembre, 1850, entre la France et la Sardaigne, ayant été approuvé par l'Assemblée Nationale, et les actes de ratifications des Gouvernements respectifs ayant été échangés à Turin, le 6 du présent mois de Février, ce Traité, dont la teneur suit, recevra sa pleine et entière exécution.

TRAITE.

Le Président de la République Française et Sa Majesté le Roi de Sardaigne, désirant faciliter et étendre d'une manière réciproquement avantageuse les relations commerciales et maritimes entre les 2 pays, d'une part, en plaçant les pavillons respectifs sur un pied de parfaite égalité en ce qui concerne les taxes de navigation ; d'autre part, en réduisant mutuellement les taxes de douanes sur un certain nombre de produits naturels ou autres expédiés d'un pays dans l'autre, sont convenus d'ouvrir dans ce but une négociation, et ont nommé à cette effet, pour leurs Plénipotentiaires, savoir :

Le Président de la République Française, M. Ferdinand Barrot, Représentant du Peuple, Chevalier de la Légion d'Honneur, Envoyé Extraordinaire et Ministre Plénipotentiaire de France près la Cour de Turin ;

Et Sa Majesté le Roi de Sardaigne, M. le Chevalier Louis Cibrario, Sénateur du Royaume, Chevalier des Ordres des Saints Maurice et Lazare et du Mérite Civil de Savoie, Commandeur et Chevalier de plusieurs autres ordres étrangers,

Lesquels, après avoir échangé leurs pleins-pouvoirs, trouvés en bonne et due forme, sont convenus des Articles suivants :

ART. I. Il y aura pleine et entière liberté de commerce et de navigation entre les habitans des 2 pays ; ils ne payeront point, pour exercer leur commerce ou leur industrie dans les ports, villes ou lieux quelconques des 2 Etats, soit qu'ils s'y établissent, soit qu'ils y résident temporairement ou ne fassent que les traverser à titre de commis marchands ou commis voyageurs, de patentes, taxes ou impôts, sous quelque dénomination que ce soit, autres ou plus élevés

que ceux qui se percevront sur les nationaux ; et les privilèges, immunités et autres faveurs quelconques dont jouissent, pour l'exploitation du commerce ou de l'industrie, les citoyens de l'un des 2 Etats, seront communs à ceux de l'autre.

Il est, toutefois, entendu que cette disposition ne s'appliquera pas aux taxes différentielles de douane que chacun des 2 Etats jugerait utile de maintenir à l'importation des marchandises par un pavillon autre que le pavillon national.

II. Les navires Français venant directement des ports de France avec chargement, et sans chargement de tout port quelconque, ne payeront, dans les ports de Sardaigne, soit à l'entrée, soit à la sortie, soit durant leur séjour, d'autres ni de plus forts droits de tonnage, de pilotage, de balisage, de quaiage, de quarantaine, de port, de phare, de courtage, d'expédition et d'autres charges qui pèsent sur la coque du navire, sous quelque dénomination que ce soit, perçus au profit de l'Etat, des communes, des corporations locales, de particuliers ou établissements quelconques, que ceux dont sont ou seront passibles en Sardaigne les navires Sardes venant des mêmes lieux ou ayant la même destination.

Par réciprocité, les navires Sardes venant directement des ports de Sardaigne avec chargement, et sans chargement de tout port quelconque, dans les ports de France, seront assimilés, soit à l'entrée, soit à la sortie, soit durant leur séjour, aux navires Français pour tous les droits ou charges quelconques portant sur la coque du navire.

III. En tout ce qui concerne le placement des navires, leur chargement et leur déchargement dans les ports, rades, havres et bassins, et généralement pour toutes les formalités et dispositions quelconques auxquelles peuvent être soumis les navires de commerce, leurs équipages et leur cargaisons, il ne sera accordé aux navires nationaux, dans l'un des 2 Etats, aucun privilège ni aucune faveur qui ne le soit également aux navires de l'autre Puissance ; la volonté des Hautes Parties Contractantes étant que, sous ce rapport aussi, les bâtiments Français et les bâtiments Sardes soient traités sur le pied d'une parfaite égalité.

IV. Seront respectivement considérés comme navires Français ou Sardes, ceux qui, naviguant sous le pavillon de l'un des 2 Etats, seront possédés et enregistrés selon les lois du pays, munis de titre et patente régulièrement délivrés par les autorités compétentes, à la condition toutefois que le capitaine sera national, c'est-à-dire citoyen du pays dont il porte le pavillon, et que les 2 tiers de l'équipage seront nationaux d'origine et de domicile, ou, s'ils sont étrangers d'origine, qu'ils aient résidé pendant 10 ans au moins dans les pays respectifs.

V. Tous les produits et autres objets de commerce dont l'importation ou l'exportation pourra légalement avoir lieu dans les Etats

de l'une des Hautes Parties Contractantes par navires nationaux, pourront également y être importés, sauf paiement des surtaxes différentielles de douane à l'entrée, ou en être exportés librement par des navires de l'autre Puissance.

Les marchandises importées dans les ports de France ou de Sardaigne par les navires de l'une ou de l'autre Puissance pourront y être livrées à la consommation, au transit ou à la réexportation, ou enfin être mises en entrepôt au gré des propriétaires ou de leurs ayants cause ; le tout sans être assujetties à des droits de magasinage, de vérification, de surveillance ou autres charges de même nature plus forts que ceux auxquels seront soumises les marchandises apportées par navires nationaux.

VI. Les marchandises de toute nature qui seront exportées de Sardaigne par navires Français, ou de France par navires Sardes, pour quelque destination que ce soit, ne seront pas assujetties à d'autres droits ni formalités de sortie que si elles étaient exportées par navires nationaux, et elles jouiront, sous l'un et l'autre pavillon, de toutes primes et restitutions de droits ou autres faveurs qui sont ou seront accordées dans chacun des 2 pays à la navigation nationale.

VII. Les navires Français entrant dans un port de Sardaigne, et réciproquement les navires Sardes entrant dans un port de France, et qui n'y viendraient décharger qu'une partie de leur cargaison, pourront, en se conformant toutefois aux lois et règlements des Etats respectifs, conserver à leur bord la partie de la cargaison qui serait destinée à un autre port, soit du même pays, soit d'un autre, et la réexporter, sans être astreints à payer pour cette dernière partie de leur cargaison, aucun droit de douane, sauf ceux de surveillance, lesquels, d'ailleurs, ne pourront naturellement être perçus qu'aux taux fixés pour la navigation nationale.

VIII. Les capitaines et patrons des bâtiments Français et Sardes seront réciproquement exempts de toute obligation de recourir, dans les ports respectifs des 2 Etats, aux expéditionnaires officiels ; et ils pourront en conséquence librement se servir, soit de leurs Consuls, soit des expéditionnaires qui seraient désignés par ceux-ci, sauf à se conformer, dans les cas prévus par le Code de Commerce Français et par le Code de Commerce Sarde, aux dispositions desquelles la présente clause n'apporte aucune dérogation.

IX. Seront complètement affranchis des droits de tonnage et d'expédition, dans les ports respectifs,

1°. Les navires qui, rentrés sur lest de quelque lieu que ce soit, en repartiront sur lest ;

2°. Les navires qui, passant d'un port de l'un des 2 Etats dans un ou plusieurs ports du même Etat, soit pour y déposer tout ou partie de leur cargaison, soit pour y composer ou compléter leur chargement, justifieront avoir déjà acquitté ces droits ;

3°. Les navires qui, entrés avec chargement dans un port, soit volontairement, soit en relâche forcée, en sortiront sans avoir fait opération de commerce.

Ne seront pas considérés, en cas de relâche forcée, comme opérations de commerce, le débarquement et le rechargement des marchandises pour la réparation du navire, le transbordement sur un autre navire en cas d'innavigabilité du premier, les dépenses nécessaires au ravitaillement des équipages et la vente des marchandises avariées, lorsque l'administration des douanes en aura donné l'autorisation.

X. Les paquebots à vapeur Français affectés à un service régulier et périodique, qui feront escale dans les ports de Gênes, continueront à être assimilés au pavillon Sarde.

Les paquebots à vapeur Sardes affectés à un service régulier et périodique, qui feront escale dans les ports de Marseille et de Port-Vendres (ou de Cette), seront assimilés au pavillon national.

XI. Malgré les dispositions des Articles précédents, la navigation de côte ou de cabotage demeure réservée au pavillon national dans les Etats respectifs.

XII. Voulant se donner des gages de leur désir mutuel de favoriser les relations commerciales entre les 2 pays, les Hautes Parties Contractantes sont convenues, dans ce but, des dispositions suivantes :

Le Président de la République Française consent,

1°. A maintenir le régime exceptionnel et de faveur fait, par la Loi des Douanes du 9 Juin, 1845, aux bestiaux Sardes entrant en France par la frontière de terre, et à augmenter le nombre des bureaux de douane ouverts à l'importation dans la zone comprise entre le Pont de Beauvoisin et la Méditerranée ;

2°. A étendre le même régime de droits aux bestiaux Sardes importés par le littoral de la Méditerranée ;

3°. A abaisser d'un quart le taux actuel des droits sur l'introduction des riz par la frontière de terre ;

4°. A étendre l'application de ce droit réduit aux importations des riz effectuées par mer, tant en France qu'en Algérie ;

5°. A réduire d'un 6ème le droit d'entrée actuel sur les fruits frais, et à maintenir les droits actuels sur la céruse, en conformité de la Loi du 9 Juin, 1845 ;

6°. A réduire à 6 francs par tête le droit d'entrée sur les mules et mulets ;

7°. A supprimer le droit de 2 francs par tête pour les mêmes animaux exportés à destination de la Sardaigne ;

8°. A supprimer le droit d'entrée des petites peaux brutes ;

9°. A réduire d'un 5ème le droit d'entrée du corail taillé mais non monté ;

10°. A réduire 14 pour cent sur le taux des droits d'entrée actuellement acquittés par les gazes de soie pure de la fabrique des Etats Sardes, importées en France par la frontière de terre des 2 Etats ;

11°. A réduire à 100 francs par 100 kilogrammes pour le pavillon Sarde, et à 93 francs pour le pavillon Français, le droit d'entrée pour les poissons marins.

Sa Majesté le Roi de Sardaigne s'engage, de son côté,

A. A réduire les différents droits actuellement établis sur les eaux de vie Françaises importées, soit par mer, soit par les frontières de terre, savoir : pour celles de plus de 22 degrés, à 30 francs l'hectolitre ; pour celles de qualité inférieure, à 18 francs ;

B. A abaisser le taux des droits sur les vins de France de toutes qualités qui entreront dans les Etats Sardes, soit par mer sous pavillon national ou Français, soit par la frontière du Var, du Rhône et des Alpes, dans la proportion suivante, savoir : pour les vins d'une valeur supérieure à 20 francs, au seul droit fixe de 14 francs l'hectolitre ; pour les vins en bouteilles, à 30 centimes par bouteille ; et pour les vins de qualité inférieure, à 10 francs l'hectolitre ;

C. A réduire le droit d'entrée sur les objets de mode de 20 francs à 15 francs par kilogramme, poids net, outre le 8 pour cent de la valeur ;

D. A réduire le droit sur la porcelaine en couleur ou dorée de 50 à 30 francs ; et sur la porcelaine blanche, à 25 francs ;

E. A établir un droit d'entrée spécifique uniforme de 6 francs par tête pour les mules et mulets, et à supprimer, à l'égard de ces animaux, tout droit de sortie ;

F. A réduire les droits actuellement perçus à l'exportation des petites peaux brutes, savoir : à 15 francs par 100 kilogrammes pour les peaux d'agneau, et à 30 francs pour les peaux de chevreau ;

G. A abaisser d'un tiers le taux actuel des droits à l'entrée des cuirs et peaux préparés, et de moitié pour les peaux chamoisées, et à réduire à 1 franc et 50 centimes le droit d'exportation des soies grèges ;

H. A abaisser le droit sur le papier sans fin pour tenture à 30 francs, pour les verres ouvrés à 15 francs, et à réduire de moitié le droit pour les bouteilles noires de litre et de demi-litre ;

I. A réduire de 20 à 15 francs le droit d'entrée sur la passementerie en soie pure ;

K. A supprimer le droit d'entrée par terre sur l'élixir de la Grande-Chartreuse.

XIII. Afin de compléter et d'équilibrer d'une manière aussi exacte que possible les concessions douanières et maritimes stipulées dans les articles ci-dessus énoncés, il est en outre convenu,

1°. Que les navires Français faisant l'intercours entre les ports Sardes et l'Algérie seront en tout, en Sardaigne, placés sur la même

ligne que les bâtiments Français se livrant l'intercours direct entre les ports Français et les ports Sardes ;

2°. Que le droit de tonnage de 2 francs par tonneau, actuellement perçu dans les ports de l'Algérie sur les navires Sardes employés à l'intercours direct de la Sardaigne avec les possessions Françaises dans le nord de l'Afrique, ne sera pas exhaussé pendant toute la durée du présent Traité ; et que ce droit, une fois payé dans un port de l'Algérie, ne sera plus exigé dans les autres ports dans lesquels le navire pourrait entrer pour compléter son déchargement ou son chargement ;

3°. Que, pendant la même période, le bois à construire et à brûler, les merrains, les feuillards, le charbon de bois et les matériaux à bâtir, importés directement de Sardaigne en Algérie sous pavillon national ou Sarde, conserveront la franchise dont ils ont joui jusqu'ici.

XIV. En tout ce qui concerne les droits de douane et de navigation, les 2 Hautes Parties Contractantes se promettant réciproquement de n'accorder aucun privilège, faveur ou immunité à un autre Etat, qu'il ne soit aussi et à l'instant même étendu à leurs sujets respectifs, gratuitement si la concession en faveur de l'autre Etat est gratuite, et en donnant la même compensation ou l'équivalent, si la concession a été conditionnelle.

XV. Les Hautes Parties Contractantes prennent l'engagement mutuel de ne pas augmenter, pendant toute la durée du présent Traité, les droits applicables tant aux produits énumérés dans ledit Traité qu'aux produits du sol ou de l'industrie des 2 Etats qui peuvent être légalement importés en droiture de l'un des 2 pays dans l'autre, sous le pavillon de l'une et l'autre nation. Il est également convenu que, pendant la même période, aucun droit de navigation ne pourra être augmenté ou établi de nouveau dans l'un des 2 pays au préjudice de l'autre.

XVI. Les Consuls, Vice-Consuls et Agents Consulaires de chacune des Hautes Parties Contractantes résidant dans les Etats de l'autre, recevront des autorités locales toute aide et assistance pour la recherche, saisie et arrestation des marins et autres individus faisant partie de l'équipage des navires de guerre ou de commerce de leurs pays respectifs, qu'ils soient ou non inculpés des crimes, délits ou contraventions commis à bord desdits bâtiments.

A cet effet, ils s'adresseront par écrit aux tribunaux, juges ou fonctionnaires compétents, et justifieront, par l'exhibition des registres du bâtiment, rôles d'équipage ou autres documents officiels ; ou bien, si le navire était parti, par la copie desdites pièces dûment certifiée par eux, que les hommes qu'ils réclament ont réellement fait partie dudit équipage ; sur cette demande ainsi justifiée, la remise ne pourra leur être refusée.

Lesdits déserteurs, lorsqu'ils auront été arrêtés, resteront à la

disposition des Consuls, Vice-Consuls et Agents Consulaires, et pourront même être détenus et gardés dans les prisons du pays, à la réquisition et aux frais des Agents précités, jusqu'au moment où ils seront réintégrés à bord du bâtiment auquel ils appartiennent, ou jusqu'à ce qu'une occasion se présente de les renvoyer dans les pays desdits Agents sur un navire de la même ou de toute autre nation.

Si pourtant cette occasion ne se présentait point dans le délai de 3 mois, à compter du jour de l'arrestation, ou si les frais de leur emprisonnement n'étaient pas régulièrement acquittés par la partie à la requête de laquelle l'arrestation a été opérée, lesdits déserteurs seront remis en liberté, sans qu'ils puissent être arrêtés de nouveau pour la même cause.

Néanmoins, si le déserteur avait commis en outre quelque délit à terre, son extradition pourra être différée par les autorités locales, jusqu'à ce que le tribunal compétent ait dûment statué sur le dernier délit, et que le jugement intervenu ait reçu son entière exécution.

Il est également entendu que les marins ou autres individus faisant partie de l'équipage, sujets du pays où la désertion a lieu, sont exceptés des stipulations du présent Article.

XVII. Toutes les opérations relatives au sauvetage des navires Français naufragés ou échoués sur les côtes de Sardaigne sont dirigées par les Consuls ou Vice-Consuls de France, et réciproquement les Consuls et Vice-Consuls Sardes dirigeront les opérations relatives au sauvetage des navires de leur nation naufragés ou échoués sur les côtes de France.

L'intervention des autorités locales aura seulement lieu dans les 2 pays pour maintenir l'ordre, garantir les intérêts des sauveteurs, s'ils sont étrangers aux équipages naufragés, et assurer l'exécution des dispositions à observer pour l'entrée et la sortie des marchandises sauvées. En l'absence et jusqu'à l'arrivée des Consuls ou Vice-Consuls, les autorités locales devront d'ailleurs prendre toutes les mesures nécessaires pour la protection des individus et la conservation des effets naufragés.

Il est, de plus, convenu que les marchandises sauvées ne seront tenues à aucun droit de douane, à moins qu'elles ne soient admises à la consommation intérieure.

XVIII. En ce qui concerne les autres attributions, privilèges et immunités des Consuls respectifs, les 2 Hautes Parties Contractantes s'engagent à en faire, dans le plus bref délai possible, l'objet d'une Convention spéciale, et, en attendant, il est convenu que lesdits Consuls, Vice-Consuls, et Chanceliers jouiront respectivement, dans les 2 pays, des avantages de toute sorte accordés, ou qui pourront être accordés à ceux de la nation la plus favorisée; le tout, bien entendu, sous condition de réciprocité.

XIX. Le présent Traité sera ratifié, et les ratifications en seront

échangées à Turin, dans le délai de 2 mois, ou plus tôt, si faire se peut. Il aura force et valeur pendant 4 années, à dater du jour dont les Hautes Parties Contractantes conviendront pour son exécution simultanée, dès que la promulgation en sera faite d'après les lois particulières à chacun des 2 Etats.

Si, à l'expiration des 4 années, le présent Traité n'est pas dénoncé 6 mois à l'avance, il continuera à être obligatoire d'année en année, jusqu'à ce que l'une des 2 Parties Contractantes ait annoncé à l'autre, mais un an à l'avance, son intention d'en faire cesser les effets.

En foi de quoi, les Plénipotentiaires respectifs ont signé le présent Traité et y ont apposé leurs cachets.

Fait à Turin, le 5ème jour du mois de Novembre de l'an 1850.

(L.S.) FERDINAND BARROT.

(L.S.) CIBRARIO.

II. Le Garde des Sceaux, Ministre de la Justice, le Ministre des Affaires Etrangères et le Ministre des Finances sont chargés, chacun en ce qui le concerne, de l'exécution du présent Décret.

Fait à Paris, le 10 Février, 1851.

Par le Président: LOUIS-NAPOLÉON BONAPARTE.

Le Ministre des Affaires Etrangères, A. BRENIER.

DECRET pour l'exécution du Traité de Commerce et de Navigation, conclu le 5 Novembre, 1850, entre la France et la Sardaigne.—Paris, le 10 Février, 1851.

LE Président de la République,

Sur le rapport du Ministre de l'Agriculture et du Commerce, et du Ministre de la Guerre ;

Vu la Loi du 30 Décembre, 1850, portant approbation du Traité conclu entre la France et la Sardaigne, le 5 Novembre de la même année, et autorisant le Gouvernement à étendre aux fruits frais de la principauté de Monaco, les dégrèvements accordés aux fruits frais des Etats Sardes ;

Vu l'échange des ratifications opéré le 6 Février, 1851 ;

Voulant déterminer les modifications que se trouvent apportées à la législation générale en matière de douane,

DECRETE :

ART. I. Les navires Sardes venant des ports de Sardaigne directement, et sur lest de tous pays, jouiront dans les ports Français des mêmes immunités que les navires nationaux effectuant les mêmes voyages, pour tout ce qui concerne les droits de tonnage, d'expédition,

de pilotage, de port, de quarantaine, de courtage, et généralement pour toutes les taxes portant sur la coque des navires.

II. Seront affranchis des droits de tonnage et d'expédition, 1° Les navires Sardes qui auront déjà acquitté ces droits dans un premier port Français; 2°. Les navires Sardes entrés en relâche volontaire ou forcée, qui repartiront sans avoir fait aucune opération de commerce.

Néanmoins, dans les 2 cas ci-dessus, les navires Sardes venant des possessions Britanniques en Europe seront traités comme les navires Français.

III. Les paquebots à vapeur Sardes affectés à un service régulier et périodique, qui feront escale dans les ports de Marseille et de Cette, seront assimilés aux navires Français pour ce qui concerne les taxes de navigation.

IV. Les droits du tarif général sont modifiés ainsi qu'il suit à l'égard des produits Sardes désignés ci-après, qui seront importés en droiture :

Bestiaux importés dans la zone déterminée par l'Ordon-	Droits établis par la Loi du 9 Juin, 1845.
nance du 8 Mai, 1846, et dans les ports de la Méditerranée	
par navires Français ou Sardes	6 francs par tête.
Mules et mulets importés par navires Français ou Sardes	
et par terre	

Petites peaux brutes, fraîches ou sèches, importées par navires Français ou Sardes et par terre ..	$\left\{ \begin{array}{l} \text{d'agneau revêtues de leur laine, pesant un kilogramme ou moins;} \\ \text{d'agneau dépouillées de leur laine;} \\ \text{de chevreau et autres non dénommées au tarif;} \end{array} \right\}$	exemptes.

Poissons marinés ..	$\left\{ \begin{array}{l} \text{par navires Français .. 93 fr.} \\ \text{par navires Sardes .. 100 „} \end{array} \right\}$	par 100 kilog.
Riz. $\left\{ \begin{array}{l} \text{par terre et par navires Français .. 3 „} \\ \text{par navires Sardes .. 8 „} \end{array} \right\}$		par 100 kilog.

Les mêmes droits seront applicables au riz importé en Algérie par navires Français et par navires Sardes.

Fruits de table importés par navires Français ou Sardes	Moitié des droits du tarif général.
Céruse	Droits établis par la Loi du 9 Juin, 1845.
Gaze de soie pure importée par terre	29 fr. 30 cent. le kil.
Corail taillé, mais non monté, importé par navires Français ou Sardes et par terre	Les $\frac{4}{5}$ des droits actuels.

L'origine des produits et leur transport direct seront justifiés dans la forme déterminée par l'Ordonnance du 8 Mai, 1846.

V. Le droit de sortie de 2 francs par tête est supprimé pour les mules et mulets exportés à destination des Etats Sardes.

VI. Sont ajoutés aux bureaux désignés par l'Article III de l'Ordonnance du 8 Mai, 1846, pour l'admission des bœufs et des vaches Sardes :

Dans le département de l'Isère, Chapareillan et Pont de Bens ;

Dans le département des Hautes-Alpes, Villar-d'Arène, Plam-pinet et Abriès ;

Dans le département des Basses-Alpes, Colmars ;

Dans le département du Var, le Broc.

VII. Les navires Sardes arrivant de Sardaigne en Algérie, en droiture, ne seront assujettis au port, de prime abord, qu'à un droit de 2 francs par tonneau et par voyage. Ils seront affranchis de tout droit dans les autres ports où ils se rendront pour compléter leur déchargement, ou pour faire ou pour compléter leur chargement.

VIII. Continueront d'être admis en franchise en Algérie les bois à construire et à brûler, les merrains, les bois feuillards, le charbon de bois et les matériaux à bâtir (chaux et pierres à bâtir) importés directement de Sardaigne sous pavillon Français ou sous pavillon Sarde.

IX. Les modérations de droits applicables aux fruits frais des Etats Sardes seront étendues aux fruits frais de la Principauté de Monaco, importés dans des conditions déterminées par l'Ordonnance du 8 Mai, 1846.

X. Les dispositions qui précèdent auront leur effet à dater du 1er Mars prochain.

Le Ministre de l'Agriculture et du Commerce, le Ministre de la Guerre et le Ministre des Finances sont chargés, chacun en ce qui le concerne, d'en assurer l'exécution.

Fait à l'Elysée-National, le 10 Février, 1851.

Par le Président : LOUIS-NAPOLÉON BONAPARTE.

Le Ministre de l'Agriculture et du Commerce, SCHNEIDER.

DECRET pour l'exécution des Articles III et V de la Convention, conclue le 5 Novembre, 1850, entre la France et la Sardaigne.—Paris, le 10 Février, 1851.

LE PRÉSIDENT DE LA RÉPUBLIQUE,

Sur le rapport du Ministre de l'Agriculture et du Commerce :

Vu la Loi du 30 Décembre, 1850, qui a approuvé la Convention littéraire conclue entre la France et la Sardaigne le 5 Novembre précédent ;

Vu l'échange des ratifications opéré le 6 Février, 1851 ;

Vu les Articles III et V de ladite Convention, relatifs à la désignation des bureaux d'importation,

DECRETE.

ART. I. Les livres en langue Italienne ne pourront être importés, pour l'acquittement des droits ou pour le transit, que par les bureaux ouverts à l'entrée des livres en langue Française.

II. Le présent Décret aura son effet à dater du 1er Mars prochain.

Le Ministre de l'Agriculture et du Commerce et le Ministre des Finances sont chargés, chacun en ce qui le concerne, d'en assurer l'exécution.

Fait à l'Elysée National, le 10 Février, 1851.

Par le Président : LOUIS-NAPOLÉON BONAPARTE.

Le Ministre de l'Agriculture et du Commerce, SCHNEIDER.

*DECRET pour l'exécution de la Convention Additionnelle au
Traité de Commerce et de Navigation du 5 Novembre, 1850,
conclue le 20 Mai, 1851, entre la France et la Sardaigne.—
Paris, le 19 Juillet, 1851.*

LE Président de la République,

Sur le rapport du Ministre de l'Agriculture et du Commerce ;

Vu la Loi du 17 Juin, 1851, portant approbation de la Convention Additionnelle au Traité de Commerce et de Navigation entre la France et la Sardaigne, qui a été conclue à Turin le 20 Mai de la même année, et autorisant le Gouvernement à étendre aux fruits frais de la Principauté de Monaco les nouveaux dégrèvements accordés aux fruits frais des Etats Sardes ;

Vu l'échange des ratifications de la susdite Convention Additionnelle opéré à Turin,

DECRETE.

ART. I. Pendant la durée du Traité de Commerce et de Navigation conclu, le 5 Novembre, 1850, entre la France et la Sardaigne, les droits du tarif général seront modifiés ainsi qu'il suit, à l'égard des produits Sardes importés en droiture :

Bestiaux de la race ovine et caprine, importés dans la zone déterminée par l'Ordonnance du 8 Mai, 1846, et dans les ports de la Méditerranée, par navires Français ou Sardes	} Les $\frac{2}{3}$ des droits actuels.
Fruits frais de table importés par navires Français ou Sardes	
	{ Les $\frac{2}{3}$ des droits fixés par la Convention du 5 No- vembre, 1850, et le Décret du 10 Février, 1851.

L'origine des produits ci-dessus dénommés et leur transport direct seront justifiés dans la forme déterminée par l'Ordonnance du 8 Mai, 1846.

II. Les modérations de droits déterminées par l'Article I du présent Décret pour les fruits frais des Etats Sardes seront étendues aux fruits frais de la Principauté de Monaco, dans les conditions de l'Ordonnance du 8 Mai, 1846.

III. Les dispositions qui précèdent auront leur effet à dater du 5 Août prochain.

IV. Le Ministre de l'Agriculture et du Commerce et le Ministre des Finances sont chargés, chacun en ce qui le concerne, de l'exécution du présent Décret.

Fait à l'Elysée-National, le 19 Juillet, 1851.

Par le Président : LOUIS-NAPOLÉON BONAPARTE.

Le Ministre de l'Agriculture et du Commerce, L. BUFFET.

DECRET relatif à la promulgation de la Convention Additionnelle au Traité de Commerce et de Navigation du 5 Novembre, 1850, conclu le 20 Mai, 1851, entre la France et la Sardaigne.—Paris, le 17 Juillet, 1851.

LE Président de la République,

Vu l'Article LVI de la Constitution ;

Vu la loi adoptée par l'Assemblée Nationale Législative dans la séance du 17 Juin dernier ;

Sur le rapport du Ministre des Affaires Etrangères,

DECRETE.

ART. I. La Convention Additionnelle au Traité de Commerce et de Navigation du 5 Novembre, 1850, conclue, le 20 Mai, 1851, entre la France et la Sardaigne, ayant été approuvée par l'Assemblée Nationale, et les actes de ratifications des 2 Gouvernements ayant été échangés à Turin, ladite Convention, dont la teneur suit, recevra sa pleine et entière exécution.

CONVENTION ADDITIONNELLE.

Le Président de la République Française et Sa Majesté le Roi de Sardaigne, prenant en considération les principes consacrés par le Traité de Commerce et de Navigation conclu entre les 2 pays, le 5 Novembre, 1850, et les changements introduits dans la législation douanière des Etats Sardes, par les Conventions spéciales avec la Belgique et la Grande Bretagne, des 24 Janvier et 27 Février, 1851, et étant également animés du désir d'accroître les relations commerciales entre la France et la Sardaigne, sont convenus de conclure dans ce but une Convention Additionnelle au Traité précité du 5 Novembre, 1850, et ont, à cet effet, nommé pour leurs Plénipotentiaires, savoir :

Le Président de la République Française, M. Charles His de Batenval, Commandeur de la Légion d'Honneur, Chevalier Grand Croix de la Rose de Brésil, Chevalier de l'Ordre de Saint Jean de

Jérusalem, Commandeur de l'Ordre de la Conception du Portugal, décoré de l'Ordre Ottoman du Nichan Iftihar de 1re Classe, Envoyé Extraordinaire et Ministre Plénipotentiaire de France près la Cour de Turin ;

Et Sa Majesté le Roi de Sardaigne, M. le Comte Camille Benso de Cavour, Grand Officier de la Légion d'Honneur, Membre de la Chambre des Députés, Ministre de la Marine, de l'Agriculture et du Commerce, et chargé du portefeuille des Finances ;

Lesquels, après avoir échangé leurs pleins pouvoirs, trouvés en bonne et due forme, sont convenus des Articles suivants :

ART. I. Sa Majesté le Roi de Sardaigne s'engage à étendre, à partir du 1er Juin prochain, aux produits du sol et de l'industrie de la France, importés directement de France en Sardaigne, les réductions douanières stipulées par les Traités conclus avec la Belgique le 24 Janvier,* et avec l'Angleterre, le 27 Février, 1851.†

II. Sa Majesté le Roi de Sardaigne s'engage en outre à abaisser, à partir de la même époque, les droits,

1° Sur les tissus de soie importés de France, dans la proportion suivante, savoir :

Tissus de soie, de 20 francs à 15 francs le kilogramme ;

Tissus de soie et filoselle, de 12 francs à 8 francs le kilogramme ;

Boutons de soie et filoselle, de 8 francs à 6 francs ;

Boutons mélangés, de 5 francs à 3 francs.

2°. Sur les livres importés de France, dans la proportion suivante, savoir :

Livres reliés blancs, de 65 francs à 35 francs les 100 kilogrammes.

Livres imprimés, de 60 francs à 35 francs les 100 kilogrammes.

Livres imprimés brochés, de 30 francs à 18 francs les 100 kilogrammes.

III. Le Président de la République Française, en compensation de ces avantages, s'engage de son côté à abaisser,

1°. D'un 5me, soit de 20 pour cent, les droits actuels sur les bestiaux de la race ovine et caprine Sardes, importés en France, soit par le littoral de la Méditerranée, soit par la frontière de terre dans la zone comprise entre la limite méridionale du département de l'Ain et la Méditerranée, de telle sorte que les droits actuels de 5 francs pour chaque bête à laine, moutons, béliers et brebis ; de 1 franc 50 centimes pour chaque bête à cornes, boucs et chèvres ; de 30 centimes pour chaque agneau, soient réduits à 4 francs, 1 franc 20 centimes, et 25 centimes ;

2°. D'un 5me, soit de 20 pour cent, les droits sur les fruits frais de table originaires des Etats Sardes.

IV. La présente Convention, considérée comme additionnelle au Traité de Commerce et de Navigation conclu entre la France et la Sardaigne le 5 Novembre, 1850,‡ aura la même durée que ce Traité.

Les 2 Hautes Parties Contractantes se réservent de se concerter

* Page 149.

† Page 4.

‡ Page 1237.

ultérieurement sur les concessions réciproques qui pourraient donner à la présente Convention additionnelle des développements nouveaux, aussi bien que sur la prolongation éventuelle de la présente Convention et du Traité du 5 Novembre, 1850.

Elle sera ratifiée, et les ratifications en seront échangées à Turin, dans le plus bref délai possible.

En foi de quoi, les 2 Plénipotentiaires l'ont signée et y ont apposé leurs cachets.

Fait en double original à Turin, le 20 du mois de Mai de l'an 1851.

(L.S.) BUTENVAL.

(L.S.) COMTE DE CAVOUR.

II. Le Garde des Sceaux, Ministre de la Justice, le Ministre des Affaires Etrangères et le Ministre des Finances sont chargés, chacun en ce qui le concerne, de l'exécution du présent Décret.

Fait à Paris, le 17 Juillet, 1851.

Par le Président : LOUIS-NAPOLEON BONAPARTE.

Le Ministre des Affaires Etrangères, J. BAROCHE.

CORRESPONDENCE and DOCUMENTS relative to the Affairs of the Duchies of Schleswig, Holstein, &c.—1844–1848.

LIST OF PAPERS.

No.	Page
1. Protest of the Assembly of Estates of Holstein against the Vote of the Roeskild Assembly affecting the Rights of the Duchies of Schleswig and Holstein. .. Itzehoe, December 21, 1844..	1253
2. Royal Rescript of the King of Denmark respecting the Order of Succession to the several Territories composing the Danish Monarchy. Sorgenfrey, July 8, 1846..	1261
French Act of Guarantee June 14, 1720..	1261
British Act of Guarantee July 23, 1720..	1262
3. Protest of the Duke of Oldenburg against the Royal Danish Rescript of July 8, 1846. Hamburgh, July 18, 1846..	1264
4. Protest of the Duke of Augustenburg against the Royal Danish Rescript of July 8, 1846. .. Augustenburg, July 30, 1846..	1265
5. Declaration of Right of the Duke of Augustenburg. Augustenburg, August 11, 1846..	1266
6. Resolution of the Germanic Diet respecting the Affairs of the Duchy of Holstein. Frankfort, September 17, 1846..	1267
7. Proclamation of the King of Denmark to the Inhabitants of the Duchies of Schleswig, Holstein, &c. Plön, September 18, 1846..	1268
8. Letters Patent of the King of Denmark announcing His Majesty's Accession to the Throne .. Copenhagen, January 20, 1848..	1269
9. Royal Rescript of the King of Denmark for the Introduction of a Constitution January 28, 1848..	1270

No.	LIST OF PAPERS.	Page
10.	Proclamation of the Provisional Government of Schleswig-Holstein. Kiel, March 24, 1848..	1272
11.	Proclamation of the King of Denmark to the Inhabitants of Copenhagen. Christiansborg, March 24, 1848..	1273
12.	Reply of the King of Denmark to the Schleswig-Holstein Deputation. Christiansborg, March 24, 1848..	1274
13.	Proclamation of the President of the General Assembly of the Bur- gesses of Rendsburg. Rendsburg, March 24, 1848..	1275
14.	The King of Prussia to the Duke of Augustenburg. Berlin, March 24, 1848..	1275
15.	Proclamation of the King of Denmark to the Inhabitants of Schleswig. Christiansborg, March 27, 1848..	1276
16.	Proclamation of the King of Denmark. Copenhagen, March 29, 1848..	1276
17.	Proclamation of the King of Denmark to his Subjects of the Duchy of Holstein. Copenhagen, March 29, 1848..	1277
18.	Proclamation of the Duke of Augustenburg to the People of Schles- wig-Holstein. Rendsburg, March 31, 1848..	1277
19.	The Danish Minister for Foreign Affairs to the Prussian Minister at Copenhagen. Copenhagen, April 1, 1848..	1278
20.	The Danish Minister at Berlin to the Prussian Minister for Foreign Affairs. Berlin, April 3, 1848..	1280
21.	Resolution of the Germanic Diet Frankfort, April 4, 1848..	1281
22.	The Prussian Minister for Foreign Affairs to the Danish Minister at Berlin. Berlin, April 5, 1848..	1282
23.	Proclamation of the King of Denmark to the Schleswigers. Sonderberg, April 6, 1848..	1283
24.	Protest of the Danish Government against the entrance of Prussian troops in the Duchy of Holstein. Copenhagen, April 6, 1848..	1283
25.	The Minister Extraordinary of Prussia to the Minister for Foreign Affairs at Copenhagen. Sonderberg, April 8, 1848..	1284
26.	The Danish Minister for Foreign Affairs to the Prussian Envoy. Sonderberg, April 8, 1848..	1285
27.	Resolution of the Germanic Diet. Frankfort, April 12, 1848..	1287
28.	The Commander of the Prussian Troops in Holstein to the Com- mander-in-chief of the Danish Troops in Schleswig. Rendsburg, April 16, 1848..	1287
29.	The British Minister at Berlin to the Prussian Minister for Foreign Affairs. Berlin, April 18, 1848..	1288
30.	The Prussian Minister for Foreign Affairs to the British Minister at Berlin. Berlin, April 19, 1848..	1288
31.	The Hon. E. J. Stanley to Messrs. Faith, Forbes, and Co. Foreign Office, April 19, 1848..	1290
32.	The Danish Minister for Foreign Affairs to the Danish Minister in London Copenhagen, April 22, 1848..	1291
33.	The President of the German Diet to the British Secretary of State for Foreign Affairs Frankfort, April 23, 1848..	1297
34.	Declaration of the Danish Government of the Blockade of the Ger- man Ports. Copenhagen, April 29, 1848..	1298
35.	The Prussian Minister for Foreign Affairs to the British Minister at Berlin Berlin, April 30, 1848..	1298
36.	The British and Russian Ministers at Copenhagen to the General of the Prussian Army. Copenhagen, April 30, 1848..	1299

No.	LIST OF PAPERS.	Page
37.	The General of the Prussian Armies to the British and Russian Ministers at Copenhagen. Gudse, near Frederica, May 2, 1848..	1300
38.	Declaration made by Sweden to Prussia. Berlin, May 9, 1848..	1301
39.	The Provisional Government of Schleswig-Holstein to the Prussian Minister for Foreign Affairs. Rendsburg, May 17, 1848..	1303
40.	The British Secretary of State for Foreign Affairs to the Prussian Minister in London. Foreign Office, May 19, 1848..	1305
41.	Counter-Propositions for an Armistice. Malmö, June 10, 1848..	1307
42.	The Swedish Minister for Foreign Affairs to the Danish Minister for Foreign Affairs. .. Malmö, June 11, 1848..	1309
43.	The Prussian Minister in London to the British Secretary of State for Foreign Affairs. .. Prussian Legation, June 12, 1848..	1310
	(Inclosure 1.)—Observations upon the Danish Proposals for an Armistice of May 18. Prussian Legation, June 12, 1848..	1312
	(Inclosure 2.)—Danish Project of Armistice. 	1315
44.	The British Secretary of State for Foreign Affairs to the Danish and Prussian Ministers in London. Foreign Office, June 23, 1848..	1316
45.	The Prussian Minister in London to the British Secretary of State for Foreign Affairs. .. Prussian Legation, June 24, 1848..	1319
46.	Project of Armistice agreed upon at Malmö between the Danish and Prussian Negotiators. July, 1848..	1322
47.	The Swedish Minister for Foreign Affairs to the Swedish Minister at Berlin... .. Malmö, July 23, 1848..	1325
48.	The Commander-in-chief of the Danish Troops in Schleswig to the Commander-in-chief of the Prussian Troops in Holstein. Veile, July 24, 1848..	1327
49.	The Commander-in-chief of the Prussian Troops in Holstein to the Commander-in-chief of the Danish Troops in Schleswig. Hadersleben, July 24, 1848..	1328
50.	The British Secretary of State for Foreign Affairs to the British Minister at Berlin. .. Foreign Office, July 25, 1848..	1328
51.	The British Secretary of State for Foreign Affairs to the British Minister at Berlin. .. Foreign Office, July 25, 1848..	1329
52.	Proclamation of the Provisional Government of Schleswig-Holstein. Rendsburg, July 25, 1848..	1329
53.	The Minister for Foreign Affairs at Copenhagen to the Danish Envoys at Foreign Courts. .. Copenhagen, August 12, 1848..	1330
54.	Instructions from the Regent of the German Empire to the Under-Secretary of State for Foreign Affairs of the German Empire. August, 1848..	1331
55.	The Chargé d'Affaires of the French Republic at Berlin to the Prussian Minister for Foreign Affairs. Berlin, August 16, 1848..	1332
56.	Convention of Armistice between Prussia and Denmark. Malmö, August 26, 1848..	1333
57.	M. de Reedtz to General Wrangel. Schleswig, September 8, 1848..	1339
58.	Circular of the Danish Government to their several Missions. Copenhagen, September 17, 1848..	1340
59.	Proclamation issued by the pro tempore Government Commission for the Duchies of Schleswig and Holstein. Sonderburg, September 18, 1848..	1340
60.	Proclamation of the Provisional Government of Schleswig-Holstein to the Country. .. Rendsburg, September 22, 1848..	1341

No.	LIST OF PAPERS.	Page
61.	Circular addressed to all the Police Authorities of the Duchies of Schleswig-Holstein. .. Rendsburg, September 22, 1848..	1342
62.	The Commissioner of the Central Power of the German Empire to the Provisional Government of the Duchies of Schleswig-Holstein. Schleswig, October 16, 1848..	1343
63.	Protocol on the establishment of a new Collective Government for the Duchies of Schleswig and Holstein. Gottorp, October 22, 1848..	1344
64.	Speech of the King of Denmark in the Constituent Assembly at Copenhagen. October 23, 1848..	1345
65.	The Commissioners of the Empire of Germany and of Denmark to the Collective Government of the Duchies of Schleswig and Holstein. (Identical Letters.) October 23, 1848..	1346
66.	The Collective Government of the Duchies of Schleswig and Holstein to the Commissioners of the Empire of Germany and Denmark. Gottorp, November 3, 1848..	1347
67.	The Commissioner of the Empire of Germany to the Collective Government of the Duchies of Schleswig and Holstein. Schleswig, November 3, 1848..	1347
68.	Proclamation of the Danish Government to the Duchies of Schleswig and Holstein. November 15, 1848..	1348
69.	Memoir of the Provisional Government of Schleswig. Schleswig, November 22, 1848..	1349
70.	Proclamation of the King of Denmark to the Duchies of Schleswig and Holstein. .. Fredericksburg, December 17, 1848..	1352

No. 1.—Protest of the Assembly of Estates of Holstein against the Vote of the Roeskild Assembly, affecting the Rights of the Duchies of Schleswig and Holstein.

SIRE, (Translation.) *Itzehoe, December 21, 1844.*

THE Holstein Estates again approach your Majesty's throne. A great and important event, and one of vital interest for the duchies, excites the inhabitants of our country, and commands their representatives to secure their rights.

It might justly be called a presentiment of the impending fate that at the commencement of the present session, and in the address which we voted to your Majesty, the independence of the duchies was mentioned, and their consequent national and legal alliance. We did it intending to mediate and to do away with misconceptions which appeared to threaten the power of the countries subject to your Majesty's sceptre. We could not foresee that most dangerous vote against the independence of the duchies which, in these very days, was adopted by the Roeskild Assembly of Estates, whose convocation coincided with our own.

As most dangerous do we consider the motion made and adopted in the 2nd session of the Roeskild Assembly of Estates, "that your Majesty might be pleased to declare in a solemn manner that the

Danish monarchy, Denmark proper, the Duchies of Schleswig and Holstein, together with the Duchy of Lauenburg, shall form one sole, indivisible empire, and be an undivided heritage, according to the provisions of the royal law, and that your Majesty should, consequently, make the necessary arrangements to prevent, in future, any step or steps tending to dissolve the union of the constituent parts of the state."

This motion did not affect the rights of the kingdom: nobody doubted the unity and indivisibility of the Kingdom of Denmark, and much less its succession according to the Danish royal law. The motion, indeed, did not pretend to confirm so undisputed a fact. Its meaning was directed against the duchies, of whom it asserted that they were indivisible from the kingdom, and that they stood under the Danish royal law of succession. An assembly of Danish estates is not entitled to make such motions; and, in doing so, they trespass on ground which to them should be holy.

The duchies had a right to expect that your Majesty's Commissioner would censure such conduct, and call the defaulters to order. In this they were disappointed. Your Majesty's Commissioner, who is, moreover, a member of the Privy Council, expressed his "sympathy with the motion," and took upon himself to assure the Estates, "that your Majesty would certainly be pleased with a petition of this kind." He is free to confess that the motion has a tendency towards an act of violence, and he approves of this tendency, for he declares—"he presumes that the Government will be inclined to consider whether any possible objection might not at once be put aside, and the proposed energetic measures adopted, in such a manner that the declaration of the indivisibility of the Empire, and the joint succession, according to the royal law, should be accompanied with a prohibition to discuss the subject." And in the next sentence he adds: "that he does not think the declaration of the right of succession will have any effect, unless it be tacked to the proposed energetic measure, viz., the prohibition of all discussion concerning the same." The Royal Commissioner goes even further. He calls upon the Danish Provincial Assembly of States for their adhesion to the motion, and says, "the votes of the Assembly on this subject would certainly influence the Government." He declares further, that the condition which the motion tends to create, is, according to his opinion, already in legal existence, and he protests that "the indivisible union of Schleswig with Denmark is founded upon Treaties, namely, on the Treaty of Peace of 1720,* and the homage which followed it; that Schleswig's union with Denmark, respecting the succession, is indivisible, that it was formerly recognized as such, and that the cunning interpretations of this homage in later times prove nothing." He adds, that as to Hol-

stein, he cannot but think that the patent of the 9th of September, 1806, and the state of things which provoked it, are highly important, and that it has wrongly been supposed that this act had lost its validity by the fundamental act of the Germanic Diet, but, on the contrary, it had been confirmed by the same.

These declarations of the Royal Commissioner at the Roeskild Assembly have highly offended the inhabitants of the duchies. The excitement of the country vented itself in the numerous addresses from almost every town of the 2 duchies, and numerous with the most respectable signatures. They are all expressive of the credit given to us, that we shall preserve the rights of the country. The Holstein Estates have up to the present moment waited for some explanations from the King, to dispel their apprehensions and those of the country. No such explanations have been issued. It has therefore been moved,

“That, respecting the declaration of the Ministers of State, voted in the 7th sitting of the Roeskild Assembly of this year, a protest shall be drawn up and presented to His Majesty the King.”

This motion was referred to the consideration of a Committee; it was discussed, and the present protest unanimously agreed to.

Sire,

The Duchy of Holstein has at all times been faithful to its Sovereign, and to the pledges it has given. In this respect we vie with our fathers. We respect the ancient connection of the duchies and the kingdom, and we acknowledge the advantages which result therefrom. But we are equally positive respecting the rights which we have inherited from our fathers.

We protest:

The Duchies are independent States.

The Duchy of Holstein became independent by the dissolution of the German Empire on the 6th August, 1806. It was recognized as an independent German federal State, by the Act of Vienna of the 15th May, 1820.* (Arts. I. and II.)

The Duchy of Schleswig became independent by the Treaty of Copenhagen of the 12th May, and the diploma of sovereignty of the 13th May, 1658. It was acknowledged as an independent duchy

* “ART. I. La Confédération Germanique est l'Union Fédérative des Princes Souverains et des Villes libres de l'Allemagne, union reposant sur le droit public de l'Europe, et formée pour le maintien de l'indépendance et de l'inviolabilité des Etats qui y sont compris, ainsi que pour la sureté intérieure et extérieure de l'Allemagne en général.

“II. Quant à ses rapports intérieurs, cette Confédération forme un corps d'Etats indépendants entr'eux, et liés par des droits et des devoirs librement et réciproquement stipulés. Quant à ses relations extérieures, elle constitue une puissance collective, établie sur un principe d'unité politique.”—State Papers. Vol. VII. Page 402.

by the Peace of Fontainebleau in 1680, by the Treaty of Altona in 1700, and by the Peace of Traventhal. The independence of the duchy is, moreover, placed above all doubt by your Majesty's assurance in 1842 to the Estates of the Duchy of Schleswig, that the conditions of internal law on which "the independence of the Duchy of Schleswig is based, shall remain intact."

And we further protest:

The male line reigns in the Duchies.

All imperial letters of enfeoffment designate Holstein as a fief of the male line. That the right of succession is in nowise affected by the abolition of feudal law has already been legally established.

The election of your Majesty's ancestor, Christian I, with the right of succession of the dynasty, stipulated the succession in favour of the male line. The right of primogeniture in the reigning families was introduced for the elder royal line, by the statute of the 29th July, 1650; for the younger royal line by the family grant of the 17th September, 1633; and for the family of the Dukes of Gottorp by the agreement of the 9th of January, 1607.

And we protest, lastly,

The Duchies of Schleswig and Holstein are firmly united States.

Your Majesty's ancestor, King Christian I, promised at his election for himself, his successors, and heirs,

Dat se bliven ewich tosamende ungedeelt,

that they for ever remain together undivided.

His promise was respected by all his successors in the Oldenburg line, for the union of the duchies in law and administration exists ever since that time.

Your royal Majesty has, as late as 1842, assured the Estates of the Duchy of Schleswig of this union, by declaring,

"That the present union of the Duchy of Schleswig with the Duchy of Holstein shall be preserved."

These rights to which the duchies are entitled remain unaltered to this day.

The patent of the 9th of September, 1806, was but meant for a declaration of the emancipation of Holstein from the late imperial sovereignty, and of the commencement of the King's sovereignty as Duke of Holstein.

This patent did not propose to incorporate the Duchy of Holstein with the kingdom, for the words "indivisible part," on the draft of the patent, were on the protest of the Duke of Augustenburg erased, and replaced by the words "undivided part."

Every doubt, as to the independence of the Duchy of Holstein, has vanished since King Ferdinand VI joined the Germanic Confederation; for this Confederation is a league of German sovereign princes and of free cities. It exists as a community of independent and sovereign States.

The patent of the 9th of September, 1806, cannot have changed the order of succession in the Duchy of Holstein, for such a thing is nowhere pronounced in this patent. A change in the order of succession was not intended by it, for King Christian VII, as Duke of Holstein, gives by it very satisfactory assurances to the Agnates of his dynasty.

The independence of the Duchy of Schleswig has not been abolished by the Treaty of Peace in 1720, and the homage which followed it.

The Treaty of Peace of the 3rd of June, 1720, contains nothing, on the part of Sweden, beyond a promise to agree to the stipulations of the mediating Powers respecting Schleswig.

The exact words are as follow :

“Sa Majesté Suédoise pour elle et la couronne de Suède déclare et promet par ces présentes de ne s’opposer directement ou indirectement à ce que sera stipulé en faveur du Roi de Danemarck, concernant le dit Duché de Slesvig par les 2 Puissances médiatrices.”

The promise of France, with respect to Schleswig, dated $\frac{3}{14}$ June and 18th of August, 1720,* is the following :

“Le Roi très-chrétien a bien voulu, pour toutes ces considérations et sur les instances des Rois de la Grande Brétagne et du Danemarck, accorder à cette dernière couronne, comme il lui donne par ces présentes, la garantie du Duché de Slesvig, promettant, en considération des susdites restitutions stipulées dans le Traité signé cejourd’hui à Stockholm par les Plénipotentiaires de Suède, de maintenir le Roi de Danemarck dans la possession paisible de la partie ducale du dit duché.”

England promised, by the Act of Guarantee of the 23rd July, 1720:†

“Sa Majesté Britannique promet et s’oblige, pour lui, ses héritiers et successeurs, de lui garantir et conserver dans une possession continuelle et paisible la partie du Duché de Slesvig, laquelle Sa Majesté Danoise a entre les mains.”

This Treaty of Peace with its various deeds could not change anything in the national law of Schleswig: for no mention was made of that point. The fact of the possession only was guaranteed. It could not influence the whole of the Duchy of Schleswig, because it evidently refers only to the princely part (*fürstlichen Antheil*) of that country.

The homage of the 4th September, 1721, did not incorporate the Duchy of Schleswig with the kingdom; its princely part was by that homage joined to the royal part. King Frederick IV declares in his patent of convocation of the prelates and nobles :

“We have resolved to retake possession of Duke Charles Frederick of Gottorp’s part of the Duchy of Schleswig; the which in a time of

difficulty and misfortune was unjustly severed from the crown of Denmark."

And it is further said :

"We have resolved to reunite and incorporate the said part with ours, and for this purpose to demand and to receive, we alone, the oaths of fidelity from the estates, from the prelates and members of the knightly body."

The formula of the oath is the following :

"In consideration that, by your letters patent, dated the 22nd of August, 1721, your Royal Majesty of Denmark, &c., my gracious king and lord, you have thought proper to reunite to your own part the former ducal part of the Duchy of Schleswig, and to incorporate the same anew and for ever after with your crown, the which having in older days been severed from the said crown *injuriâ temporum*—I promise and hereby pledge myself, by and in virtue of these presents, for myself and my heirs and successors that we, myself and they, acknowledge and hold your Royal Majesty of Denmark, &c., for our sole and unique sovereign lord, and that we shall and will be faithful to yourself as well as to your royal heirs and successors, *secundum tenorem legis regię*," &c.

This oath of allegiance was sworn only by the inhabitants of the princely and joint part of Schleswig, and not by the inhabitants of the royal part. This act could not, therefore, influence the national law of the Duchy of Schleswig since only part of that duchy took that oath. The princely and joint part of Schleswig was incorporated not with the kingdom of Denmark but with the royal part of the Duchy of Schleswig. The King received the oath not as King of Denmark, but as former joint ruler, and now unique sovereign. The oath was not meant to infringe upon any of the existing rights of the Schleswigers, for on the very day of the homage were "all subjects" renewed and confirmed "in their former privileges, immunities, rights, and other liberties." The King declared a few days later (17th September, 1721), on the prelates and nobility petitioning him to confirm the privileges of the country, that "diets should in future be convoked in these duchies," and that "His Royal Majesty on this point, if the junctures should be found to be such that necessity should demand the convocation of a diet in the 2 duchies, would notify his further pleasure to his faithful prelates and nobles, and take his measures accordingly."

The order of succession of the kingdom of Denmark was not by these events introduced into the duchies: such an idea is nowhere pronounced. The oath of allegiance was sworn to King Frederick IV, and his heirs and successors, *secundum tenorem legis regię*. But this *lex regia* could not be identical with the Danish royal law, for the princely part of the Duchy of Schleswig was not incorporated with the kingdom of Denmark, but with the royal part

of the Duchy of Schleswig. The royal part of Schleswig was not subject to the order of succession of the Danish royal law, but to the provisions of the royal statute of the 24th July, 1650. Nor was it Frederick's intention to introduce the Danish succession, for he recognised as early as 1722 the Duke Frederic Charles of Rönne as entitled to the Schleswig succession. The homage of the 4th September, 1721, could, therefore, merely suspend the existing disposition of heritage of the 9th January, 1602, for the joint and princely part, the Gottorp line, and introduce the law of succession of the 24th July, 1650, which was in force for the royal part.

Indeed nothing further could have been intended and obtained by an oath exacted from and sworn by a certain number of landholders and officials.

However opinions may vary as to the order of succession of the male line among the Agnates of the dynasty, we and all your Majesty's faithful subjects can but wish that it may please Providence to prorogue the debate on this question to the furthest ends of time. But as to the exclusive right of the male line to the succession in the duchies, there can, we think, be but one opinion.

The motion of the Roeskild Assembly opposes these documentary rights; for if the order of succession was taken away from the duchies, and with it the most essential part of their national independence,—if the duchies were to be merged into the kingdom, they would be degraded to Danish provinces. The Duchy of Holstein could not then stand on a level with the other independent States of the Germanic Confederation, and your Majesty would no longer be a sovereign German Prince.

The man who brought this motion forward pretended it was to act as a panacea against evil tendencies, which he alleged to be busy dissolving the political union of the empire. Your Royal Majesty's Commissioner expressed his sympathy on this point likewise. We are wholly ignorant of such tendencies existing in these countries; we are not aware of any desire to dissolve the political union of the duchies with the kingdom. We declared as much at the commencement of the present session, and our address to this effect was re-echoed and confirmed by the voice of the country. We dared to hope that our declaration would suffice to silence the voice of calumny, but we regret that it has not met with an equally candid reply. With a free conscience, but deeply sensible of our wrongs, do we protest to your Majesty, that the allegations of the Roeskild Assembly on this score are as so many falsehoods.

That motion does not merely violate the independence of the duchies, but it threatens our possessions and consciences likewise. Even the most unlimited monarch cannot make a one-sided change in the succession. Perjury and civil war were at all times the

consequences of such a measure. This it is which history teaches, and which in our own days is glaringly set forth in the fate of Spain.

The motion is an insult offered to us. The manner in which it was received poisons the wound. Your Majesty's Ministers of State, as members of the united Council of the kingdom and the duchies, asked the Danish Provincial Assembly of Estates to support the motion against the independence of the duchies. He assured them that their advice would be a welcome support to Government. Can, therefore, anything be more opposed to your Majesty's present assurances "that your Majesty's endeavours are always tending to devote an equal care to the various rights and nationalities of your faithful subjects?" Can there be anything more opposed to the nationality of your German subjects, and more hostile to their rights?

But the means proposed to attain the end are worse than mere insults. Your Majesty is asked to prohibit all discussion of the point by an act of most arbitrary power. Such a measure would bear the consciousness of wrong on its very face. May our sovereigns never be reduced to have recourse to such hateful and ignominious measures!

But even that means would be found inefficient. In questions of right, an arbitrary decree may possibly succeed in enforcing a short-lived obedience; but it can never do away with contradiction, or bend public opinion to its will.

Besides, there is danger in such a path. Your Majesty's throne, like that of your royal ancestors, is based on right, and on right must the future succession to the throne be based, not on an arbitrary decree. The present and the past coincide in this demand. Whatever is unjust will not stand. Violence is powerless against the feelings it conjures up. They must, sooner or later, find their vent, and endanger the existence of the State.

We do not doubt your royal Majesty will respond to the trust your faithful German subjects place in your justice and wisdom, by not heeding the advice of the Roeskild Assembly, if they should tender it.

But, however great our confidence in your Majesty may be, we, as conscientious representatives of our constituents, feel it our duty to enter our solemn protest against any infringement of the national law of the country.

We lay this protest, unanimously voted in a plenary assembly, before your Majesty's throne, and rely upon your justice and wisdom for the appreciation of our sentiments.

Itzehoe, 21st December, 1844.

WIESE, *President.*

BALEMANN, *Secretary.*

No. 2.—Royal Rescript of the King of Denmark respecting the Order of Succession to the several Territories composing the Danish Monarchy.

(Translation.)

Sorgenfrey, July 8, 1846.

WE, Christian VIII., by the Grace of God, King of Denmark, of the Vandals and Goths, Duke of Schleswig, Holstein, Stormarn, Ditmarschen, Lauenburg, and Oldenburg, hereby make known :

Whereas, from several circumstances, it has come to our knowledge that there prevail among many of our subjects confused and incorrect notions as to the rule of succession throughout the monarchy ; and whereas such notions tend to produce disquiet and anxiety for the future well-being of the common country, in the event that by the will of Providence the male line of our Royal House should become extinct ; we therefore considered it as belonging to our paternal duties as a Sovereign, to appoint a Special Commission, in order to investigate all the acts and documents which it was possible to procure relating to the order of succession in question, and in other respects to make an accurate and searching examination of the circumstances thereunto relating in all their bearings. This examination having been finished, and been laid before us in our Privy Council, and having been there taken into our deliberation, we have in consequence found it to be a fact completely established, that whereas in the case of the Duchy of Lauenburg, acquired by Treaty for the Danish Crown,* the order of succession is indisputable ; so also in respect to the Duchy of Schleswig, the very same order of succession according to the *Lex Regia* exists in full force and validity, in virtue of the Patent of 22nd August, 1721, and subsequent act of homage, and finally also in virtue of the guarantees given by England and France on the 14th June and 23rd July, 1720,† and the

* Vol. II. Page 181.

† FRENCH ACT OF GUARANTEE :

Acte de Garantie du Roi de France en faveur du Roi de Danemark, pour le Duché de Schleswig, conformément à l'Article VI du Traité de Paix entre les Couronnes de Suède et de Danemarck.—Stockholm, le $\frac{3}{14}$ Juin, 1720.

LOUIS, par la Grâce de Dieu, Roi de France et de Navarre ; à tous ceux qui cette présente lettre verront, salut. Comme notre cher et bien aimé le Seigneur de Campredon, notre Résident et notre Plénipotentiaire auprès du Roi de Suède, aurait, en vertu du plein-pouvoir que nous lui en avions donné, signé à Stockholm le $\frac{3}{14}$ Juin dernier, l'Acte de Garantie du Duché de Schleswig, dont la teneur s'ensuit :

La tranquillité ayant été heureusement rétablie dans la Basse Allemagne par les bons offices et par la médiation de Sa Majesté Très Chrétienne, elle les a continué de concert avec Sa Majesté de la Grande Bretagne, dans le désir sincère de contribuer à rendre la paix générale dans le Nord, et spécialement entre les Couronnes de Danemark et de Suède ; elle a vu avec un extrême plaisir les

Treaties concluded with Russia on the 22nd April, 1767,* and 1st June, 1773.† Our firm assurance of this being based in right and

bonnes dispositions où ces 2 Puissances se sont trouvées pour l'accomplissement d'un ouvrage si salutaire; mais ayant été informé en même temps des difficultés insurmontables qui se rencontraient pour la restitution à la Couronne de Suède, de l'Île et Principauté de Rugen, et la Forteresse de Stralsund, et du reste de la Poméranie jusques à la Rivière de Pehne, occupées par la Couronne de Danemark, si elle n'était assurée de la possession de Schleswig, laquelle Sa Majesté Britannique lui a déjà garantie; le Roi Très Chrétien a bien voulu pour toutes ces considérations, et sur les instances des Rois de la Grande Bretagne et Danemark, accorder à cette dernière Couronne, comme il lui donne par ces présentes, la garantie du Duché de Schleswig, promettant en considération des susdites restitutions stipulées dans le Traité‡ signé ce jour d'hui à Stockholm par MM. les Plénipotentiaires de Suède, de maintenir le Roi de Danemark dans la possession paisible de la partie Ducale du dit Duché, bien entendu que cette garantie ne pourra avoir aucun lieu ni effet, qu'après que le susdit Traité de Stockholm aura été approuvé et signé de la part du Roi de Danemark. A ces causes, je Soussigné, Résident de Sa Majesté Très Chrétienne, et son Plénipotentiaire à la Cour de Suède, muni de son plein-pouvoir et de ces ordres exprès à cet effet, ai remis le présent Acte de Garantie entre les mains de Milord Carteret, Ambassadeur Extraordinaire de Sa Majesté le Roi de la Grande Bretagne, et son Plénipotentiaire en la même Cour de Suède, pour en faire l'usage ci-dessus expliqué.

En foi de quoi j'ai signé ces présentes, et à icelles apposé le cachet de nos armes, promettant d'en fournir la ratification 6 semaines après la signature par le Roi de Danemark du dit Traité de Stockholm, de ce jour $\frac{3}{14}$ Juin de l'année 1720.

Fait à Stockholm, les susdits jour et an.

(L.S.) DE CAMPREDON.

Nous ayant agréable le susdit Acte de Garantie en tout ce qui y est contenu, avons de l'avis de notre très cher et très aimé oncle le Duc d'Orléans, Régent, icelui tant pour nous que pour nos héritiers et successeurs, royaumes, pays, terres, seigneuries et sujets, approuvé, ratifié et confirmé, et par ces présentes signées de notre main, acceptons, approuvons, ratifions et confirmons, et le tout promettons en foi et parole de Roi, de garder et observer inviolablement, sans jamais aller ni venir au contraire, directement ou indirectement, en quelque sorte et manière que ce soit. En témoin de quoi nous avons fait mettre notre scel à ces présentes.

Donné à Paris, le 18 Août, 1720, et de notre règne le 5ème.

Par le Roi:

LOUIS.

LE DUC D'ORLEANS, *Régent Présent.*

Du Bois.

BRITISH ACT OF GUARANTEE.

Acte de Garantie à l'égard du Duché de Schleswig, donné par le Roi de la Grande Bretagne au Roi de Danemark.—Friederichsbourg, le 23 Juillet, 1720.

Nous, George, par la grâce de Dieu, Roi de la Grande Bretagne et d'Irlande, Défenseur de la Foi, Duc de Brunswick et Lunebourg, Archevêque-Trésorier et Electeur

* Martens, Vol. I. Page 315.

† Martens, Vol. I. Page 180.

‡ State Papers. Vol. I. Page 218.

truth, and our conviction that we ought not to delay counteracting the injurious consequences of the erroneous and false notions which,

du St. Empire Romain, &c., à tous et chacun qui ces présentes verront, salut. D'autant qu'entre nous et notre cher frère le Roi de Danemark, par une Convention faite le 30 Octobre de l'année passée, il a été stipulé, qu'après l'armistice et la paix faite entre Sa dite Majesté et le Roi et la Couronne de Suède, la promesse et la garantie que nous avons faites à l'égard de la possession et jouissance paisible du Duché de Schleswig au Roi de Danemark, sera continué ; et comme, par l'aide de Dieu, la paix effectivement s'en est suivie, notre Ministre auprès du dit Roi, a signé un acte ou instrument de la dite promesse de garantie, de la manière qu'il suit ci-après de mot-à-mot.

Après que Sa Majesté le Roi de la Grande Bretagne eût conclu une Convention avec le Roi de Danemark, signée le 30 Octobre de l'année passée, dans la vue de rétablir le repos dans le Nord, dans laquelle elle avait promis la garantie du Duché de Schleswig, tant que la suspension d'armes entre les 2 Couronnes de Danemark et de Suède durerait, avec la condition expresse qu'en cas que sous la bénédiction divine entre les dites Couronnes, encore avant l'expiration de l'Armistice put être conclue, la garantie demeurerait ferme pour toujours. Mais à présent que cette négociation importante à l'égard des grandes difficultés qui s'y étaient trouvées, même celle du terme stipulé pour la suspension d'armes, laquelle finissait le 28 Avril de l'année présente, a été prorogée, sur cela donc les deux Majestés de Danemark et de Suède sont convenues d'un Armistice aux mêmes conditions que le premier. Et qu'avant l'expiration de cette suspension d'armes, la paix si nécessaire pour le repos de l'Europe, aussi bien que pour la sûreté de la religion Protestante, sous la médiation de leurs Majestés de la Grande Bretagne et Très Chrétienne, ayant été portée à une fin heureuse (en vertu de cette paix la Garantie du Duché de Schleswig, selon le contenu de la Convention et la promesse faite par Sa Majesté Britannique du 30 Octobre de l'année passée, sera et restera continuée), et Sa Majesté de Danemark pour rendre cette Convention plus parfaite, demande encore une plus ample élucidation ; ainsi Sa Majesté Britannique promet et s'oblige, pour soi, ses héritiers et successeurs, de lui garantir et conserver dans une possession continuelle et paisible, la partie du Duché de Schleswig, laquelle Sa Majesté Danoise a entre les mains, et de la défendre le mieux possible contre tous et chacun qui tâcherait de la troubler, soit directement ou indirectement ; le tout en vertu du Traité conclu en 1715 avec Sa Majesté Britannique, comme Electeur de Brunswick et Lunebourg, aussi bien que de la dite Convention faite le 30 Octobre de l'année passée, dans un Acte séparé pour la continuation.

En foi de quoi, je Soussigné, Ministre Plénipotentiaire, ai signé ce présent Acte et apposé mon cachet, et promis de procurer la ratification de tout ceci dans le temps de quatre semaines, ou plus tôt s'il est possible.

Fait à Friederichsbourg, le 23 Juillet, 1720.

(L.S.) POLWARTH.

Nous ayant vu et mûrement pesé le susdit Acte de Garantie, l'avons approuvé et agréé en tous ses points, l'approuvons, agréons, et confirmons par les présentes, pour nous, nos héritiers et successeurs, promettant en parole de Roi d'accomplir et d'observer inviolablement tout ce qui y est contenu. En témoin de quoi nous avons signé les présentes de notre main, et y fait apposer notre grand sceau du Royaume de la Grande Bretagne.

Donné à notre Château de Herrnhäusen, le 26 Juillet, 1720, de notre règne l'année 6ème.

GEORGIUS REX.

with reference to the matter in question, are constantly being disseminated within the bounds of the kingdom of Denmark Proper itself, have induced us to make known by the present letter to all our true subjects, this our certainty touching the rightful title of all our royal successors to the sovereignty of Schleswig, which we and our successors to the Danish Throne will consider it as our duty and our call to maintain.

On the other hand, it has resulted from the aforesaid examination, that with respect to certain portions of the Duchy of Holstein there do exist circumstances which hinder us from being able to pronounce with the same certainty as to the inheritance-right of all our royal successors to this Duchy. Meantime while we would most graciously assure all our true subjects, and especially the inhabitants of Holstein, that our exertions have been, and shall be unremittingly directed to remove the hindrances in question, and to effectuate a complete acknowledgment of the integrity of the whole Danish State, so as that the territories at present collected under our sceptre shall at no time be separated, but shall constantly remain together under their present relations, and in the enjoyment of the special privileges belonging to each individually, so would we at the same time, in an especial manner, hereby assure our true subjects of the Duchy of Schleswig, that by this letter it is by no means intended to infringe in any way on the independence of that duchy, such as it has hitherto been by us acknowledged, nor to make any change in the other relations which do now connect the same with the Duchy of Holstein; but, on the contrary, we would rather hereby renew our promise, henceforward as heretofore, to protect our Duchy of Schleswig in the rights belonging to the same as a territory in itself, independent, but yet inseparably connected with our monarchy.

Under our royal hand and seal.

STEMANN.	(L.S.)	CHRISTIAN R.
A. W. MOLTKE.	(L.S.)	FREDERICK, <i>Prince Royal</i> .
ORSTED.	(L.S.)	FREDERIC FERDINAND.
REVENTLOW-CRIMINIL.		

No. 3.—Protest of the Duke of Oldenburg against the Royal Danish Rescript of July 8, 1846.

(Translation.)

Hamburg, July 18, 1846.

By the letter patent of His Majesty Christian VIII, King of Denmark, dated Copenhagen, the 8th of July, 1846, which is inserted in several newspapers, and which casually met the eye of His Royal Highness the Grand Duke of Oldenburg on the evening of the 15th (July) whilst on a journey to Eutin, His Royal Highness perceives

that His Majesty has thought proper to express to his subjects his opinion concerning eventual cases of succession.

As it has not been made known to His Royal Highness that His Majesty had, previous to the publication of his letter patent, come to any understanding with the different Chiefs of the special branches appertaining to the collective House of Oldenburg, and certainly, at least, no steps have been taken having any reference thereto with His Royal Highness the Grand Duke of Oldenburg, who, according to existing Treaties, is the representative of the chief Schleswig-Holstein-Gottorp line in Germany. His Royal Highness can therefore, with respect to the declaration published without his co-operation, recognise only one view of His Majesty the King; but at the same time the conviction is impressed upon him, that he, as chief of his house, is in duty bound to uphold the eventual rights of the same against all consequences prejudicial to his subsisting rights or those of his house in any way deducible from that declaration.

No. 4.—Protest of the Duke of Augustenburg against the Royal Danish Rescript of July 8, 1846.

(Translation.)

Augustenburg, July 30, 1846.

HIS Majesty Christian VIII, King of Denmark, has issued a letter patent, dated Sorgenfrey, the 8th July, 1846, drawn up by his High Privy Council, which imposes upon me, as the head of my collective house, the obligation of defending my rights, as well as those of my successors, and of my collective house.

HIS Majesty the King, in his letter patent, expresses his conviction that, in the Dukedom of Schleswig, the succession of the Danish Lex Regia exists in full force and validity, and intimates the existence of a similar one with regard to separate parts of the Dukedom of Holstein.

In the said letter patent HIS Majesty the King merely expresses his high conviction to his faithful subjects collectively, consequently the high letter patent, either according to its form or to its contents, can as little affect the rights of my collective house, as the fundamental rights of the Dukedoms of Schleswig and Holstein; still I must consider it necessary solemnly to guard all my rights, not for fear of any unfounded interpretation of my silence, but to make known my firm purpose of fulfilling the duties imposed by God upon me.

The agnatic hereditary rights of my house can only perish through particular, express, and legally-constituted renunciations. So long, however, as these have not been executed, the cognate succession, upon this ground, cannot exist, according to the Danish Crown Law, in full force and validity, either in the Dukedom of

Schleswig, or in any single part of the Dukedom of Holstein; more particularly since the unlimited Monarch himself cannot alter an established succession.

I must therefore, hereby oppose, for myself, my successors, and my collective house, every claim of succession to the prejudice of my own, my successors, and my collective house's appertaining hereditary right to the Dukedom of Schleswig, or to the Dukedom of Holstein, that may be derived from the Danish Crown Law, or from any other source; and I do hereby assert, for the present and the future, all and every of my own, my successors, and collective house's rights, as well in general as in particular, in the most solemn manner that can and may occur.

Authentic under my princely signature and seal.

Done at Augustenburg, the 30th of July, 1846.

C. AUGUSTUS,
Duke of Schleswig-Holstein.

No. 5.—Declaration of Right of the Duke of Augustenburg.

(Translation.)

Augustenburg, August 11, 1846.

High Assembly of the Confederation!

THE Undersigned sees himself placed in the necessity, through the letter patent of His Majesty the King of Denmark, dated Sorgenfrey, the 8th July, 1846, of submitting the herewith annexed "Declaration of Right."

His own agnatic hereditary rights, and those of his collective house, rest upon too firm and too secure foundations, and are too well known, for him to deem it necessary, without being especially called upon, to lay those foundations severally before a high Assembly of the Confederation.

The letter patent issued by His Majesty the King of Denmark interferes too seriously with the agnatic rights of the junior royal line of the House of Schleswig-Holstein, of which the Undersigned is the head, for him to be able to look on in silence. He has transmitted to His Majesty the King of Denmark a "Declaration of Right," dated the 2nd August of the present year, of precisely the same tenor, and thinks he ought not to rest contented with that step, in the fulfilment of the duties incumbent upon him.

With reference to the protection which the High Confederation after the dissolution of the German Empire, afforded both to the internal and external rights of the German Confederated States, and also to the Agnatic hereditary rights attached thereto, and in a memorable case, guaranteed the Agnates of the Ducal House of Nassau; the Undersigned must consider it necessary to recommend to the High Assembly of the Germanic Confederation the preser-

vation of the rights of himself and of his collective house, under the especial consent of his Serene Highness Duke Charles of Schleswig-Holstein-Sonderburg-Glücksburg, head of the junior line of the House; and the Undersigned accordingly begs the High Assembly of the Germanic Confederation will insert the annexed "Declaration of Right" of the 30th July of this year, in the Protocol of the High Assembly of the Confederation.

C. AUGUSTUS,
Duke of Schleswig-Holstein.

No. 6.—Resolution of the Germanic Diet respecting the Affairs of the Duchy of Holstein.

(Traduction.)

Francfort, le 17 Septembre, 1846.

SA Majesté le Roi de Danemarck, Duc de Holstein et de Lauenbourg, ayant déclaré au Protocole du 7 de ce mois au sujet de la pétition adressée à la Diète en date du 3 Août par les Etats du Holstein, qu'il n'était jamais entré dans sa pensée de porter atteinte ni à l'indépendance du Duché de Holstein, ni à sa constitution, ni aux autres rapports quelconques consacrés par les lois du pays et fondés sur ses us-et-coutumes, ni de les modifier arbitrairement; Sa Majesté ayant en outre donné l'assurance que dans ses efforts pour régler les rapports de succession du dit duché, elle n'avait point l'intention de léser les droits bien fondés des agnats, et ayant manifesté en même temps la résolution de maintenir intact le droit constitutionnel de pétition des Etats, la Diète se trouve fortifiée dans la confiance et dans l'attente que Sa Majesté, en amenant la solution définitive des questions dont fait mention la lettre patente du 8 Juillet de cette année, respectera les droits de tous, et particulièrement ceux de la Confédération Germanique, ceux des agnats appelés à la succession et ceux de la représentation légale du pays.

Tout en se réservant, comme organe de la Confédération, de faire valoir, le cas échéant, sa compétence, telle que les lois fondamentales de la Confédération l'exigent, la Diète déclare qu'elle ne peut voir dans les Etats du Duché de Holstein les représentans légaux de cet Etat Fédéral, vis-à-vis de la Confédération, mais seulement les représentans des droits que leur confère la constitution du pays, et qu'elle ne trouve pas fondée la plainte de ces Etats au sujet d'un changement illégal apporté à la constitution du Holstein; par contre, quant à l'ordre donné par Sa Majesté à son Commissaire près l'Assemblée des Etats sous la date du 8 Juillet, 1846, de ne plus recevoir de pétitions ni de réclamations relatives à la question de la succession, la Diète ne le trouve point d'accord, dans ce sens absolu, avec les termes de la Loi du 28 Mai, 1831.*

2. La Diète se plaît à rendre justice aux sentiments patriotiques qui se sont manifestés à cette occasion dans les Etats composant la Confédération Germanique, mais elle regrette les accusations haineuses et les provocations qui ont eu lieu à ce sujet, et elle attend avec confiance que les Gouvernements Fédéraux sauront mettre un terme à ces manifestations passionnées. Elle ne doute pas que Sa Majesté le Roi de Danemarque ne s'empresse d'agir à cet égard avec la plus entière réciprocité.

3. M. l'envoyé de Danemarque pour les Duchés de Holstein et de Lauenbourg est invité à porter cette résolution à la connaissance de sa cour.

No. 7.—Proclamation of the King of Denmark to the Inhabitants of the Duchies of Schleswig, Holstein, &c.

(Translation.)

Plön, September 18, 1846.

WE, Christian VIII, by the grace of God, King of Denmark, of the Vandals and Goths, Duke of Schleswig, Holstein, Stormarn, Ditmarschen, Lauenburg, and Oldenburg, to all our loving and true subjects send our special favour and greeting :

We have looked forward with pleasure, after the lapse of many years, to spend this anniversary of our birthday in the duchies, in the midst of our faithful subjects. We have prayed the Almighty that this day may be one of peace and blessing. With this end in view, we, as father of our people, hereby declare to all loving and true subjects, whom it has been too much the endeavour to mislead in regard to the true meaning of our letter patent of 8th July last, that our intent neither was nor could be, by means of it, to violate the rights of our duchies, nor of any single one of them in particular. On the contrary, we have given assurance to the Duchy of Schleswig that it shall continue in its hitherto existing connexion with the Duchy of Holstein ; whence it also follows that the Duchy of Holstein shall not be separated from that of Schleswig. And just as little could we, in issuing the aforesaid letter patent, meditate any change in the undoubted, and therefore in the same document unmentioned, relations which the Duchies of Holstein and Lauenburg, as States belonging to the German Confederation, bear to the German Diet ; and the expressions contained in the letter patent in reference to Holstein are consequently only to be understood in this way, that we entertained firm reliance that, by means of the recognition of the inseparability of the Danish monarchy, there will be secured to our independent Duchy of Holstein perpetual union with the other territories subject to our Crown, and, by necessary consequence, its own integrity also.

With the blessing of the Almighty this will come to pass ; and

we confidently trust that our faithful subjects will not misunderstand the scope of our paternal intentions, which have no other object than their welfare. It is only by means of confidence in its Prince that the land can securely enjoy peace and tranquillity, and God will bless the bond of union that entwines both.

Given at our Castle of Plön, September 18, 1846.

C. VON MOLTKE.

CHRISTIAN R.

No. 8.—Letters Patent of the King of Denmark announcing his Accession to the Throne.

(Translation.)

Copenhagen, January 20, 1848.

WE, Frederick VII, by the grace of God, King of Denmark, of the Vandals and Goths, Duke of Schleswig, Holstein, Stormarn, Ditmarschen, Lauenburg, and Oldenburg, do hereby make known:

That whereas it has pleased the Almighty to take unto himself the revered monarch of our country, our dearly beloved father, His Majesty King Christian VIII, we have accordingly ascended the throne of our forefathers. While deeply moved and keenly affected by the severe blow which has fallen on us, as son, we at the same time share with our loyal people in the general grief for the great loss which has befallen our unhappy country, looking for consolation in our firm reliance on the support of the Almighty, and in the consciousness of our upright and earnest wish to promote the welfare of our beloved people.

It shall be our first and chiefest aim to follow the elevated example of our dearly beloved father, like him to unite gentleness with justice in the exercise of our government, to embrace with an equal paternal affection all the inhabitants of the various portions of the monarchy, and not only to continue the improvement in the administration commenced by him, but also to bring to a conclusion the arrangement of the public relations of the State contemplated by him, the final completion whereof has only been deferred by the illness and death of our dearly beloved father, and which has for its object to secure the common and mutual rights of all the citizens, to promote unity in our beloved country, and thereby to establish on a secure basis the strength and glory of the entire body politic.

It is, moreover, our will, that all public business be carried on without interruption according to the prescribed regulations hitherto in force, and that all officials who have been appointed or confirmed by the late King of blessed memory shall, until further notice, continue in the discharge of their official functions, under the oath of allegiance formerly tendered by them.

Given in our Palace of Christiansborg, January 20, 1848, under our royal hand and seal.

STEMANN.

FREDERICK R.

ORSTED.

BENTZEN.

HALM.

ALGREEN-USSNING.

No. 9.—Royal Rescript of the King of Denmark for the introduction of a Constitution.

(Translation.)

January 28, 1848.

WITH reference to that arrangement of the public relations of the country which was contemplated by our beloved father his late Majesty King Christian VIII, having been previously suggested by us, and whereof the forthcoming approach was announced in our letters patent of the 20th of this month, we hereby notify that, with the view of carrying the said arrangement into effect in a manner at once compatible with the independence belonging to separate portions of our territories and their mutual connexion as a well-ordered whole, we have resolved to take under our deliberation the introduction of such a Constitution as shall on the one hand be suited to preserve inviolate the prerogatives of our Crown; and, on the other hand, to secure the rights of all our beloved and loyal subjects in general, and the special rights and interests that may belong to the different territories in particular.

For this object we contemplate the introduction of a common Diet for our Kingdom of Denmark and our Duchies of Schleswig and Holstein, which, with equal numbers of our kingdom and our said duchies, shall regularly at certain times, after the lapse of fixed intervals, meet alternately in the kingdom and in the duchies, at places to be afterwards determined on. The rights which we intend giving to this Diet (subject to certain regulations to be afterwards provided in the Constitution Law) shall consist in a legislative co-operation with respect to alterations of the taxes, in a control over the finances, and in the enactment of laws bearing on the common concerns of the kingdom and the duchies. Moreover, we will allow the said Diet to submit to us such proposals for their discussion as shall immediately concern the common interests of the kingdom and the duchies.

By this constitution of a Diet, which we will introduce of our own free royal authority, no change shall be made either in the general ordinances of 28th May, 1831,* or in the ordinances of 15th May, 1834,† touching the institution of provincial States in our

* Vol. XVIII. Pages 1290, 1292.

† Vol. XXII. Pages 420, 453.

kingdom and in our Duchies of Schleswig and Holstein, nor yet in the existing connexion between these duchies, nor in the position of our Duchies of Holstein and Lauenburg, relative to the German Confederation, nor in the constitution of the last-mentioned duchy, nor in the institution of the Althing in Iceland, introduced by the ordinance of 8th March, 1845. Finally, the Constitution Law shall embrace fit provisions for protecting both the Danish and the German languages in the respective districts of the Duchy of Schleswig.

Before enacting the provisions to be embodied in the Constitution Law, such provisions shall be laid before enlightened and experienced men, possessing the esteem and confidence of their fellow-citizens, to be by them taken into mature deliberation. And in order to give our dear and loyal subjects a proof of our royal confidence in them, we will intrust the election of the great majority of these Commissioners to the several classes of the members of our provincial States as also to the (Danish) clergy, the (Holstein) prelates, and to the landholders of the Equestrian Order in the Duchies of Schleswig and Holstein, and to the Consistories of the Universities of Copenhagen and Kiel.

For this purpose, as far as regards our kingdom of Denmark, the Deputies of Copenhagen and of the provincial towns, who are named members of our faithful Assembly of provincial States for the dioceses of Zealand, Fünen, Laaland, and Falster, shall choose from amongst themselves 3 delegates; the Deputies of the great landowners, 2; and the Deputies of the smaller landowners, 2; the Deputies of the provincial States of Northern Jutland for the towns, 2; of the great landowners, 2; those of the small landed proprietors, 2; the bishops and clergy of the said dioceses, and of Als and Æroe, 2; the bishops and clergy of Northern Jutland and the parishes of the Duchy of Schleswig which belong in ecclesiastical relation to North Jutland, 2; and the University of Copenhagen, 1.

As to our Duchies of Schleswig and Holstein, the members of our faithful Assembly of the provincial States of Schleswig belonging to the category of great landed proprietors shall elect 1 delegate; the Deputies of the towns, 2; those of the smaller landed proprietors, 2; and the same shall be the case for their various classes in the Duchy of Holstein, except that the great landed proprietors shall elect 2 delegates from their body. The great body of the clergy in Schleswig and Holstein shall also send 2 delegates, and the prelates and landed nobility of those provinces, 4.

The elections for the choice of these delegates will take place in March next, in various towns which we shall name, as soon as each member of the Assemblies of the provincial States shall receive an

order by a royal rescript; Commissioners appointed by us presiding over the proceedings. When the elections shall have terminated, and the results have been made known to us, we will nominate, to be added to the delegates, 8 persons from our Kingdom of Denmark, 4 from the Duchy of Schleswig, and 4 from that of Holstein. The whole number of delegates to be appointed is, therefore, 52; 26 for Denmark, and 26 for the Duchies of Schleswig and Holstein.

In the course of 2 months at the latest after the elections shall have been closed, the Commissioners shall, on a day to be named by us, assemble in our residence city of Copenhagen, and under the presidency and superintendence of some of our highest State functionaries, shall begin their labours with which they shall continue occupied until we see fit to command their being brought to a close.

Moreover, we make reservation in addition to the above assigned special object of their meeting, to submit to them for mutual deliberation some legislative and administrative measures, viz. :

The introduction of general liability to military duty.

The regulations of the monetary system.

Additional regulations for the management of royal and private propositions at the meetings of the provincial States.

In conducting their deliberations, each Commissioner will be at liberty, if he so pleases, to employ both the languages of the country; and, moreover, journals shall be kept in both languages by officers specially appointed by us for that purpose, and the officials who have been named by us to preside over the deliberations will in due time submit to us their result for our royal decision.

As it gives us pleasure to finish this work commenced by our late father of illustrious memory, so it is still more agreeable to us to be able to make this announcement on the birthday of the late King Frederick VI, and thereby to connect the memory of him who instituted the provincial States, with the present measure, for which by means of that institution he had paved the way.

STEMANN.

FREDERICK R.

ORSTED

BENTZEN.

HALM.

ALGREEN-USSNING.

No. 10.—Proclamation of the Provisional Government of Schleswig-Holstein.

FELLOW-CITIZENS, (Translation.) *Kiel, March 24, 1848.*

OUR Duke has been compelled by a popular movement in Copenhagen to dismiss his Councillors and to assume a position inimical to the Duchies.

The will of the ruler of the country is no longer free, and the country is without a Government.

We will not suffer our German country to become the prey of the Danes. Great dangers demand great resolves; for the defence of our frontiers, for the maintenance of order, a Government to direct is necessary.

Complying with the urgency of the moment, and relying on the confidence hitherto reposed in us and the appeals of the people, we have undertaken the temporary conduct of the Government, and we shall exercise the power entrusted to us to maintain the rights of the country and the rights of our legitimate Duke.

We shall immediately call together the States of the United Duchies and resign the power reposed in us, so soon as the Sovereign of our country shall be free, or as other persons shall be chosen by the Assembly of the States to conduct the affairs of the country.

We will join with all our might in the exertions of Germany to obtain unity and liberty.

We call upon all the well-disposed inhabitants of our country to unite with us. Let us give to our German native country a worthy evidence of the patriotism which animates the people of Schleswig-Holstein.

The Advocate Bremer is called upon to become a Member of the Provisional Government.

The Provisional Government,

PRINCE FREDERIC of *Schleswig-Holstein*.

F. REVENTLOW.

M. T. SCHMIDT.

No. 11.—Proclamation of the King of Denmark to the Inhabitants of Copenhagen.

(Translation.)

Palace of Christiansborg, March 24, 1848.

Two days ago you, with loud acclamations, thanked us for having anticipated your wishes.

It is now our turn to thank you for the good order and tranquillity which you have maintained during these days.

To the Schleswig-Holstein deputation we have answered “That we have neither the right, the power, nor the will to let Schleswig be incorporated in the German Confederation nor be separated from our beloved native country; but that, on the contrary, Denmark and Schleswig shall be united under one and the same free constitution, preserving to the utmost its separate nationality to the Province of Schleswig; and that Holstein, on the other hand, as a State of the German Confederation, shall have its own free constitution.”

We have now, accordingly, made such concession as we are able; if our offer be not received, we with our whole Danish people will know how to maintain the dignity of Denmark.

The safety of the Schleswig-Holstein Deputies we confide to the honour of our Danish people.

A. W. MOLTKE, *President of the Council*.

FREDERICK R.

No. 12.—Reply of the King of Denmark to the Schleswig-Holstein Deputation.

(Translation.)

Christiansborg, March 24, 1848.

IN answer to your proposals, we have to communicate to you,

That it is our intention to concede to our Duchy of Holstein, as an independent State of the German Confederation, a free constitution, founded on an extensive elective franchise, and embracing satisfactory provisions in respect to the general military training of the people, the liberty of the press, and the right of association.

That as a consequence thereof, our Duchy of Holstein, besides having a separate Government and military organization, shall also have separate finances, as soon as the reciprocal adjustment of accounts and the other conditions for a union with Denmark and Schleswig shall have been arranged.

That we moreover will frankly co-operate in the exertions made for establishing a strong and popular German Parliament.

That we have neither right, nor power, nor will, to incorporate our Duchy of Schleswig in the German Confederation; but, on the other hand, we will strengthen Schleswig's indissoluble connexion with Denmark by a free constitution, common to both.

We will, however, at the same time give valid protection to the separate nationality of Schleswig, by extensive provincial institutions, and more especially by a separate Diet and separate administration.

We would besides communicate to you,

That it is our earnest wish, in sincere co-operation with our beloved and loyal subjects, to lay the foundations of peace and liberty within our territories.

That we likewise recognize it to be the most sacred duty of a legitimate Sovereign to enforce with all our might the supremacy of the law and the maintenance of tranquillity.

Given in our Palace of Christiansborg, March 24, 1848.

A. W. MOLTKE, *President of the Council*.

FREDERICK R.

No. 13.—*Proclamation du Président de l'Assemblée Générale des Bourgeois de Rendsbourg.*

(Traduction.) *Rendsbourg, le 24 Mars, 1848, 10 heures du matin.*
Habitans du Duché de Slesvig-Holstein !

IL s'est formé à Kiel, au nom du Roi, un Gouvernement Provisoire pour les Duchés ; à la tête de ce Gouvernement se trouvent Son Altesse Sérénissime le Prince Frédéric-Emile de Slesvig-Holstein-Sonderbourg-Augustenburg, M. Beseler et d'autres hommes qui professent les mêmes opinions ; le Prince vient de faire son entrée dans la ville à la tête du corps des chasseurs de Lauenbourg. La garnison de Rendsbourg a passé de notre côté. Tout cela est porté à la connaissance des habitans des Duchés de Slesvig et de Holstein par l'ordre du Prince ; toutes les localités et les districts du pays sont requis d'envoyer le plus tôt possible des troupes à Rendsbourg pour la défense du pays.

Au nom du Gouvernement Provisoire,
J. G. VENDT.

No. 14.—*The King of Prussia to the Duke of Augustenburg.*

SERENE HIGHNESS! (Translation.) *Berlin, March 24, 1848.*

IN reply to your Highness's letter of this day's date, relating to the threatening state of affairs in the Duchies of Schleswig-Holstein, I have to make to you the following communication :

I have undertaken to protect the cause of Germany in the day of danger, not with the view to usurp the right of others, but in order as far as I am able, to maintain that which already exists both at home and abroad. Among existing rights I reckon that right of the Duchies of Schleswig-Holstein which is contained in the following axioms, and which in no manner militates with the right of the Kingdom of Denmark :

1. That the duchies are independent States ;
2. That they are States indissolubly connected with each other; and
3. That the male line reigns in those States.

In this sense I have already declared myself to the Diet ; and with reference to this principle of public law I am prepared, in consideration of the resolution of the Diet of the 17th of September, 1846,* to protect the Duchies of Schleswig-Holstein with the most appropriate means against encroachment or attack. I, however, trust that no serious danger threatens the nationality of the duchies, but in the contrary case I entertain the firm conviction that my German Confederates will hasten like myself to the protection of the same.

With sincere friendship, &c.

H.S.H. The Duke of Augustenburg. FREDERICK WILLIAM.

No. 15.—Proclamation of the King of Denmark to the Inhabitants of
(Translation.) *Schleswig.*

SCHLESWIGERS, *Christiansborg Palace, March 27, 1848.*

It is at a solemn and serious moment at which your King addresses you.

A few months ago I ascended the throne of my forefathers, proud of the idea that I, of my own free-will and in all order and in peace, should bestow a free constitution on the whole of my people.

Unheard-of events shook Europe to its centre. Holstein required, as a State of the German Confederation, to get a Constitution for itself. To the bestowing on her such a separate Constitution I have pledged my royal word. The general unity of Constitution which I was in hopes of effecting had thus to be given up.

To you, Schleswigers, I have promised and do hereby promise that, conjointly with Denmark and through the medium of your own co-operation, you shall receive a free popular Constitution. Your independence (separate nationality) as Schleswigers, in face of a common Constitution, shall be secured by a separate Diet, a separate administration, separate tribunals, an equal relative share of the public burdens in proportion to the population, an equitable employment of the surplus revenue of the State, exemption from excise, an equal use of the German and Danish languages both in the meetings of the (common) States-General and of the Diet.

Schleswigers, you will not throw away the blessings of law and liberty to further the treacherous schemes of ambition. You will not renounce your hereditary fealty to your King, nor stake your independence and welfare on the cast of a die. Your King calls upon you for the purpose of leading you by the paths of loyalty and honour to peace and freedom. You will follow duty's and freedom's call. With the whole force of Denmark I shall soon stand by you and look you face to face.

A. W. MOLTKE.

FREDERICK R.

No. 16.—Proclamation du Roi de Danemarck.

(Traduction.)

Copenhague, le 29 Mars, 1848.

Nous Frédéric VII, &c.

Ayant appris avec le plus vif déplaisir que quelques-uns de nos sujets des Duchés de Slesvig et de Holstein ont osé, en prenant le nom de Gouvernement provisoire et sous le faux prétexte d'agir en notre propre nom, accomplir des actes qui ne peuvent émaner que de nous-même et des organes du pouvoir établis par nous, nous avons ordonné immédiatement à nos sujets rebelles de quitter la position qu'ils se sont arrogés et de rendre compte des actes séditieux qu'ils se sont permis. En portant la chose à la connaissance pub-

lique, nous espérons fermement que nos fidèles sujets des Duchés de Slesvig et de Holstein ne perdront pas de vue leurs devoirs, et qu'ils persisteront dans l'obéissance qu'ils nous doivent. Quant à ceux qui se sont laissé entraîner à la désobéissance envers nous par les fausses promesses de gens mal intentionnés et qui se sont joints au mouvement insurrectionnel, nous les sommons de rentrer de suite dans leur devoir; chaque individu est rendu responsable, tout en encourageant notre disgrâce et les peines fixées par les lois, de ce qu'il aura fait sur l'injonction du Gouvernement provisoire.

FREDERICK R.

No. 17.—Proclamation du Roi de Danemarck à ses Sujets du Duché de Holstein.

HABITANTS DU HOLSTEIN!

Copenhague, le 29 Mars, 1848.

Vous m'avez profondément affligé. L'insurrection et l'infidélité sont inconnues dans mes états depuis des siècles. Vous avez arboré l'étendard de la révolte. Habitants du Holstein! Je vous suis attaché; vous ne détruirez pas l'héritage sacré de vos pères, la réputation de fidélité des populations du Holstein. Votre duc ne peut renoncer à l'espoir de vous voir revenir à lui. Vous êtes séduits par de perfides guides, qui ne songent pas à votre bonheur, mais seulement à leurs desseins ambitieux. En abusant de mon nom, ils vous conduisent à votre perte; ce n'est qu'en contestant ma liberté d'action qu'ils vous ont décidés à les suivre.

Habitants du Holstein! Prêtez l'oreille à mes paroles. Je vous ai offert de former un état particulier, indépendant et libre, de concourir énergiquement au développement populaire de l'unité de l'Allemagne; je vous en ai donné la promesse, et vous répondez à cette promesse par la révolte! Revenez à de meilleurs sentiments, jouissez des bénédictions de la paix et de la liberté. Ne renoncez pas légèrement à votre prospérité, ne l'abandonnez pas au pillage de bandes brutales. Je ne tarderai pas à arriver aux frontières du royaume. Envoyez-moi un message de paix et de soumission, et je tiendrai ce que je vous ai promis.

KNUTH.

FREDERICK R.

No. 18.—Proclamation du Duc d'Augustenbourg au Peuple de Slesvig-Holstein.

(Traduction.)

Rendsbourg, le 31 Mars, 1848.

LES graves conjonctures actuelles me font un devoir de m'expliquer d'une manière simple et compréhensible pour chacun de vous sur l'attitude que j'ai prise vis-à-vis de notre sainte cause.

Les mesures hostiles qui ont brisé les droits de nos duchés ont été imposées à notre Roi-Duc par le peuple Danois. Le Roi est au pouvoir d'un entourage Danois qui le porte à des déterminations irritantes; il n'est plus libre dans ses délibérations; on se sert de son autorité pour nous imposer des lois injustes. Ce ne sont pas de simples paroles pour garder les apparences, c'est un fait notoire palpable.

Dans cet état de choses, il s'est formé un Gouvernement provisoire pour protéger notre bon droit. Il a exprimé dans sa proclamation les dispositions de notre peuple. Je souscris franchement et sans réserve à la déclaration qu'il a donnée. Voici ce que nous voulons, mais c'est complètement et en toute vérité que nous le voulons: le maintien des droits de notre peuple et de ceux de notre Souverain et une adhésion ferme et sincère aux tendances unitaires et libérales de l'Allemagne, dont nos duchés doivent et veulent partager les destinées. Pour atteindre à ce but, nous sommes tous disposés et moi aussi, comme je l'ai été jusqu'ici, à sacrifier nos biens, notre vie et tout ce que l'homme a de plus précieux. Si cependant notre Souverain redevenait libre, qu'il reconnût les droits et la nationalité des duchés dans le sens indiqué et qu'il nous donnât des garanties à ce sujet, alors je le seconderais avec joie, comme vous tous vous le ferez aussi dans l'exercice de ses droits souverains.

CHRETIEN AUGUSTE,

Duc de Slesvig-Holstein.

No. 19.—The Danish Minister for Foreign Affairs to the Prussian Minister at Copenhagen.

(Translation.)

Copenhagen, April 1, 1848.

HAVING been commissioned by His Majesty the King, my most gracious master, "to try every possible means of preventing any misunderstanding which may produce an unfavourable influence on the friendly relations which for so many years have happily existed between Denmark and Prussia," I may venture to point out the following as the only method of coming, by means of the co-operation of Prussia, to a salutary accord for the restoration of lawful order now endangered in Holstein, and for the suppression of the present rebellious opposition to the legitimate Government of His Majesty the King;

1. The Royal Prussian Government binds and obliges itself to give orders to the Prussian troops not to cross the Prussian frontier.

2. To request the Royal Hanoverian Government to observe a similar line of conduct in respect to their contingent, and in like manner not to cross the Hanoverian border.

3. It is considered especially necessary that the Royal Prussian Government should be pleased to call upon the Hanseatic towns Hamburg and Lubeck, firmly to maintain the friendly relations subsisting between them and Denmark, and consequently to refuse all acknowledgment and support to the Provisional Government at present unlawfully framed in Holstein.

4. It must likewise be considered as very desirable that the Prussian Government should make similar applications to both the Mecklenburg Governments.

5. Further, that the several concentrated troops of the Confederation should receive orders to oppose the entrance of any free corps eventually coming from Germany, inasmuch as by the arrival of such corps the tranquillity, the property and the safety of the peaceful inhabitants of Holstein would be exposed to the greatest danger.

6. That in the event of any Prussian officers having tendered their services to the so-called Provisional Government in Holstein, they be forthwith enjoined to return to their homes.

7. That the so-called Provisional Government in Holstein be called upon not to permit the troops assembled in Rendsburg to cross, with their most advanced northerly posts, the line drawn in blue colour on the accompanying map, which begins on the west side at the mouth of the Eyder, and thereafter following the stream of the Eyder, as far as Syderstapel, runs from thence eastward past Meggerdorf and Bange, touching the Witten Lake, and so running eastward till it meets the Baltic between Noer and Eckernförde.

On the other hand, on our side the following measures shall forthwith be taken.

His Majesty the King, my most gracious master, having been earnestly entreated by many of the inhabitants of the Duchy of Schleswig to protect them against the troops at present in rebellion, as also against the free corps that may have entered (whose case is the more urgent as it is precisely those inhabitants who persevere in undeviating and dutiful fidelity to their Sovereign that are most exposed to the unjustest persecutions), His Majesty has therefore determined to clear a portion of the duchies from all rebels and free corps.

As soon, however, as this shall have been effected, His Majesty will cause the march of his troops to be bounded by the line drawn on the map in red colour, extending between Eckernförde and Frederickstadt, and he will not cross this line until he has received and maturely weighed the propositions which may be submitted to him from the Prussian Government for the restoration of tranquillity and order in the duchies.

Baron Schoultz d'Ascheraden.

F. M. KNUTH.

No. 20.—The Danish Minister at Berlin to the Prussian Minister for Foreign Affairs.

Berlin, le 3 Avril, 1848.

LE SCUSSIGNÉ, Envoyé Extraordinaire et Ministre Plénipotentiaire de Sa Majesté le Roi de Danemarck, a eu l'honneur de déclarer avant-hier, par ordre de son Gouvernement, à son Excellence M. le Baron d'Arnim, Ministre des Affaires Etrangères de Sa Majesté le Roi de Prusse, que la dislocation de troupes Danoises qui se fait dans ce moment, ainsi que toutes les mesures militaires, n'ont et n'ont jamais eu d'autre but que le maintien de l'ordre et de la sûreté dans l'intérieur des Etats du Roi son Souverain, et que très résolue de prouver la vérité de ses intentions pacifiques, Sa Majesté aime à croire que son auguste allié le Roi de Prusse y répondra avec la même sincérité, et qu'ainsi il n'y aura pas, entre les 2 Souverains et leurs Etats respectifs, un sujet quelconque de soupçon ni de méfiance.

Néanmoins le Soussigné a appris, à sa grande surprise, dans l'entrevue qu'il a eue hier avec son Excellence M. le Baron d'Arnim, que le Gouvernement de Sa Majesté Prussienne a donné l'ordre à un corps d'armée de franchir les frontières des Etats de Sa Majesté Danoise et d'occuper la forteresse de Rendsbourg, située sur la limite des Duchés de Holstein et de Slesvig.

Le Roi de Danemarck se trouvant en mesure de rétablir lui-même l'ordre légitime dans ses Etats, n'a pas jugé de sa dignité de se prévaloir du droit qui lui revient, en qualité de membre de la Confédération Germanique, de réclamer la co-operation de la Prusse.

Le Roi de Danemarck ne peut reconnaître à aucune Puissance étrangère le droit d'intervenir, sans son aveu, par la force armée dans ses affaires intérieures.

Le Soussigné aime à croire que l'intention du Gouvernement de Sa Majesté le Roi de Prusse n'est pas de soutenir des sujets en révolte ouverte contre leur Souverain légitime qui a signalé son avènement au trône très récemment par la promesse parfaitement libre et spontanée d'institutions constitutionnelles, et qui vient d'engager sa parole royale de seconder les désirs de son Duché du Holstein d'obtenir sa part légitime au développement de l'unité et de la liberté Allemandes.

Toutefois, l'attitude prise par la Prusse vis-à-vis du Danemarck et la communication que son Excellence M. le Baron d'Arnim a bien voulu en faire au Soussigné, sont de nature à faire supposer que la Prusse pourrait être tentée de vouloir résoudre par la force, une question de droit qui certainement n'est que purement intérieure, ou tout au plus Européenne, et même de la décider avant qu'elle n'ait été préalablement discutée.

Une pareille mesure serait tellement contraire au droit des gens et à tous les usages internationaux, que le Soussigné se refuse à croire que le Gouvernement Prussien voudrait en prendre la responsabilité sur lui.

Si néanmoins le Gouvernement Prussien s'y décide, malgré les sérieuses remontrances du Soussigné, il ne lui resterait qu'à protester comme il le fait par la présente au nom de son Gouvernement, de la manière la plus formelle, contre une violation aussi manifeste des droits de souveraineté du Roi son auguste maître.

Le Soussigné, &c.

M. le Baron Arnim.

W. PLESSSEN.

No. 21.—Resolution of the Germanic Diet.

(Traduction.)

Francfort, 4 Avril, 1848.

LA Diète Germanique a rendu l'arrêté suivant dans la question du Slesvig-Holstein :

1. La Diète Germanique déclare, conformément à l'Article XXXVIII de l'Acte final,* que le danger d'une attaque existe pour l'Etat fédéral Allemand de Holstein, et elle approuve complètement les dispositions prises dans un esprit fédéral et national par la Prusse et les Etats du 10e corps d'armée, à l'effet de défendre la frontière dans le Holstein.

2. Pour apporter de l'unité dans les mesures militaires qui pourraient être prises ultérieurement dans ce but, la Diète Germanique invite la Prusse à s'entendre à ce sujet avec les Etats du 10e corps d'armée.

3. Pour éviter l'effusion du sang et chercher à obtenir un arrangement à l'aimable, la Diète Germanique est disposée à se charger de la médiation, et invite la Prusse à baser la médiation au nom de la Diète Germanique sur les droits complets du Holstein, nommément sur son union avec le Duché de Slesvig, fondée dans le droit public.

Il va sans dire que les hostilités seront immédiatement suspendues et que le *status quo ante* sera rétabli.

* Vienne, le 15 Mai, 1820. "ART. XXXVIII. Lorsque l'avis d'un Membre de la Confédération, ou d'autres données authentiques portant à croire, que l'un ou l'autre des Etats Confédérés, ou la Confédération entière, sont menacés d'une attaque hostile, la Diète examinera, sans aucun retard, si le danger est réel, et prononcera sur cette question dans le plus bref délai possible. Si le danger est reconnu, la résolution qui le déclarera sera immédiatement suivie de l'Arrêté relatif aux mesures de défense auxquelles dans ce cas on aura recours sur le champ.

"La Résolution, ainsi que l'Arrêté qui l'accompagne, sont du ressort du Conseil Permanent, procédant à la pluralité des suffrages."—State Papers. Vol. VII. Page 400.

No. 22.—*The Prussian Minister for Foreign Affairs to the Danish Minister at Berlin.*

Berlin, ce 5 Avril, 1848.

LE Soussigné a eu l'honneur de recevoir la note que M. le Comte de Plessen, Envoyé Extraordinaire et Ministre Plénipotentiaire de Sa Majesté le Roi de Danemarck, a bien voulu lui adresser avant-hier relativement à l'envoi de troupes Prussiennes dans le Duché de Holstein.

En réponse à cet office le Soussigné ne peut que répéter ici ce qu'il s'est déjà empressé de déclarer de vive voix à M. le Comte de Plessen, en lui donnant l'assurance positive que la mesure militaire dont il s'agit, loin de porter un caractère hostile ou agressif contre le Danemarck, n'avait été prise que dans le double but de protéger le territoire de la Confédération Germanique contre une violation dont il semble menacé, et de sauvegarder, en faveur d'un Etat Allemand et confédéré, des droits acquis, auxquels un acte récent du Gouvernement Danois vient de porter une si grave atteinte. Mû par le sentiment des devoirs que lui impose l'esprit et la lettre du pacte fédéral, et fort de l'appui de la volonté nationale, le Roi, en présence d'un danger qui paraît imminent, n'a pu hésiter à prendre, de concert avec plusieurs de ses alliés Allemands, l'initiative d'une attitude qui ne tardera sans doute pas à recevoir la sanction formelle de la Confédération Germanique, et dont celle-ci, par l'organe de la Diète, s'empressera de se déclarer solidaire.

La Prusse en prenant cette attitude ne méconnaît nullement les droits de souveraineté, que possède Sa Majesté le Roi de Danemarck en sa qualité de Duc de Slesvig-Holstein. Aux yeux du Gouvernement Prussien ces droits ne sont pas moins sacrés que ceux des Duchés eux-mêmes. Il est fermement résolu à respecter et à maintenir les uns et les autres, et la protestation éventuelle que renferme à cet égard la note de M. le Comte de Plessen, lui semble dès-lors sans objet.

D'ailleurs, afin de donner une preuve éclatante de ses sentiments pacifiques ainsi que de son désir sincère d'écarter, par une entente aimable, toute possibilité d'une rupture ouverte, le Roi vient de charger M. le Major de Wildenbruch de se rendre sans perte de temps auprès du Roi de Danemarck pour offrir à Sa Majesté Danoise, sur les motifs et le but de la politique du Gouvernement Prussien, tous les éclaircissements qui semblent le plus propres à rassurer la Cour de Copenhague sur nos intentions, et à opérer un rapprochement entre des vues dont le Cabinet du Roi déplore vivement la divergence.

En exprimant l'espoir que cette démarche sera appréciée par le Gouvernement de Sa Majesté Danoise comme elle mérite de l'être,

et qu'elle ne restera pas sans quelque résultat satisfaisant, le Sousigné saisit, &c.

Le Comte Plessen.

ARNIM.

No. 23.—Proclamation of the King of Denmark to the Schleswigers.

SCHLESWIGERS! (Translation.) *Sonderburg, April 6, 1848.*

MY last promise to you was that I should soon see you face to face. This, my royal promise, I now perform, and God is my witness that I fully intend to perform every promise which I, from fatherly affection, have given you.

In full reliance on my just cause, I now stand in the midst of you, I stand here to compel falsehood and treachery to take off the mask. I stand here to make it impossible for the traitors to draw you from me by their lying fabrications. I stand here to show you and the whole world that it is my free and determined will to combat to the last extremity for my rights.

Loyal Schleswigers! rally round your King, who will lead you to civil liberty, and will grant you all the rights that can secure your happiness. And should there be any misled persons among you, let me have an opportunity of appearing with mercy and grace among you, by you yourselves—while there is yet time—prevailing on such persons to withdraw from the insurgents, whose audacious acts must draw down condign punishment on their guilty heads.

Finally, Schleswigers! I inform you, that having appointed a Government Commission for the administration of the affairs of the country, I will cause the several authorities to appear before it, in order that they may furnish information as to the state of the country, and moreover have an opportunity of giving an account of their conduct and behaviour.

Given in the town of Sonderburg, April 6, 1848.

FREDERICK R.

No. 24.—Protest of the Danish Government against the entrance of Prussian troops in the Duchy of Holstein.

(Traduction.) *Copenhagen, ce 6 Avril, 1848.*

C'EST avec l'étonnement le plus douloureux que le Gouvernement de Sa Majesté le Roi de Danemark vient d'apprendre qu'un corps d'armée Prussien est entré dans le Duché de Holstein actuellement en insurrection ouverte contre son Souverain légitime. Cette mesure a fait une impression d'autant plus profonde sur le dit Gouvernement, que d'après les relations d'amitié et de parfaite entente qui l'unissaient au Gouvernement de Sa Majesté le Roi de Prusse, il ne pouvait nullement s'attendre à ce que celui-ci, sans son aveu, voulût

intervenir dans les affaires du Duché de Holstein d'une manière qui ne saurait être favorable qu'aux insurgés. Le Gouvernement Danois peut d'autant moins se rendre compte de la précipitation du Cabinet de Berlin dans cette affaire, qu'il a fait auprès de lui des démarches pour assurer à Sa Majesté le Roi de Prusse le temps et la faculté d'exercer une influence large et honorable sur le rétablissement de l'état régulier dans les Duchés. Le Gouvernement Danois, tout en se réservant de protester formellement contre le fait qui vient de se passer, espère cependant que le Gouvernement de Sa Majesté le Roi de Prusse ne permettra jamais à ses troupes d'entrer dans le Duché de Slesvig; une pareille mesure ne pouvant être envisagée par Sa Majesté le Roi de Danemarque comme un acte directement hostile, qui compromettra gravement la paix de l'Europe.

F. M. KNUTH.

No. 25.—Le Ministre Extraordinaire de la Prusse au Ministre des Affaires Etrangères à Copenhague.

(Traduction.)

Sonderbourg, le 8 Avril, 1848.

LE Soussigné, chargé d'une mission extraordinaire de Sa Majesté le Roi de Prusse près Sa Majesté le Roi de Danemarque, a l'honneur de faire connaître par écrit, comme il l'a déjà fait oralement, le but de sa mission à son Excellence M. le Ministre des Affaires Etrangères de Danemarque. Ce but est d'exposer à Sa Majesté Danoise les vues du Gouvernement Prussien sur la question de Slesvig-Holstein et de lui proposer l'entière co-opération de ce dernier, dès que le Gouvernement Danois se décidera à tenter d'arranger par des voies pacifiques le différend survenu à l'occasion des Duchés. La Prusse ne peut ni ne veut anticiper sur les résolutions que prendra la Diète Germanique au sujet de questions qui sont de la compétence de cette dernière. Elle ne peut pour le moment qu'exposer ses vues sur un arrangement possible du différend en question et chercher à les faire adopter.

La Prusse veut avant tout conserver au Roi-Duc les Duchés de Slesvig et de Holstein, et elle est bien éloignée de vouloir avancer ses propres intérêts ou favoriser l'ambition d'un tiers. Mais il est dans l'intérêt du Danemarque, ainsi que de tous les Etats voisins, que les princes allemands défendent énergiquement cette affaire, et le seul désir d'empêcher la funeste intervention des radicaux et des républicains allemands a déterminé la conduite de la Prusse. L'entrée de troupes Prussiennes dans le Holstein avait pour but d'assurer le territoire fédéral et d'empêcher que les républicains allemands, auxquels les Duchés auraient pu recourir comme moyen extrême de conservation, ne pussent s'emparer de cette affaire. L'idée d'une république de Slesvig-Holstein, qui s'est déjà fait jour, est bien propre à menacer sérieusement le Danemarque, ainsi que les pays

allemands du voisinage. La Prusse attendra dans cette position que le Danemarc offre la main à un arrangement pacifique.

Le Soussigné est tout disposé, autant que cela dépend de lui, à intervenir pour que les troupes Prussiennes évacuent la ville de Rendsbourg, première condition posée par Sa Majesté le Roi de Danemarc pour commencer les négociations de la paix. Un arrangement pacifique est encore possible maintenant; il ne le sera plus quand le Roi de Danemarc sera engagé vis-à-vis de ses sujets allemands dans une lutte acharnée, qui, supposé même, ce qui est très invraisemblable, que le Danemarc ait l'avantage sur toute l'Allemagne, ne peut jamais fonder pour le Danemarc une possession durable. La Prusse n'agit que dans l'intérêt même du Danemarc, dont elle ne veut que la grandeur et l'indépendance, qui sont menacées par la séparation des Duchés.

Le Soussigné, &c.

M. Knuth.

L. DE WILDENBRUCH.

No. 26.—The Danish Minister for Foreign Affairs to the Prussian Envoy.

(Translation.)

Sonderburg, April 8, 1848.

THE Undersigned, His Majesty the King of Denmark's Minister of Foreign Affairs, has had the honour to receive Major v. Wildenbruch's communication respecting the purpose of his mission to this Court. This communication professes the same views as to the union of Schleswig and Holstein as that which the Prussian Government have hitherto declared as their own, and the Undersigned begs therefore to refer to the communication which he, according to his Royal Master's instructions, at an earlier period made to the Prussian Court. The Prussian Government are aware that the King of Denmark has expressed his desire, by a constitution common to all parts of his Monarchy, to strengthen the ties which connect Holstein with the other parts of the kingdom in general and with Schleswig in particular, but that this foundation of a constitution has met with no proper acknowledgment from the inhabitants of the Duchies, and that under present circumstances it cannot be carried into execution unless His Majesty the King were to oppose the joint efforts of the other German Federal Princes and their wish for an united development of their Confederation. But far from this, His Majesty the King has co-operated with the wishes of those Princes, and in his answer to the Schleswig-Holstein deputation he traces the line of action which, according to the views of the Danish Government, must result from such a purpose. No other means have, as yet, been pointed out to unite the interests of Germany with those of the Danish Crown.

The Undersigned having been instructed by His Majesty the

King to exhaust all ways and means by which a peaceable agreement might be effected between His Majesty the King, his most gracious Lord, on the one side, and the other German Federal Princes, especially the King of Prussia, on the other, thinks it unnecessary to reiterate the statement that the Duchy of Schleswig does not come within the jurisdiction of the German Confederacy. Some later facts have, indeed, more strongly convinced him that any possible mediation with respect to Holstein can only be effected in a manner of which a former confidential communication to the Prussian Ambassador at Copenhagen has given the outline. But the Undersigned has since been informed that the Prussian Government have not waited for this communication, but advanced their troops into the Holstein territory. He has, in His Majesty the King's name, sent the Prussian Ambassador a protest against this interference, expressing, at the same time, the just astonishment of his most gracious master.

The Undersigned cannot but regret that that foundation of an agreement, which to him seemed the only one possible, has now met with almost insurmountable obstacles, and that the progressive movements of the insurgent troops, promoted by the Prussian occupation, must in all probability lead to a hostile collision with His Majesty the King's army. He thinks, nevertheless, that his plan, as formerly mentioned, is the only practicable one. But to make its execution possible, it seems to him, as matters now are, indispensably necessary that the first step should be made by Prussia, especially by the King of Prussia's troops remaining beyond the Eider, and that those troops should not occupy any other part of the city and fortress of Rendsburg than the portion situate beyond the Eider. The Danish Government is, moreover, confident that the present number of Prussian and other Federal troops in Holstein will in nowise be augmented while the negotiations are pending. When Major Wildenbruch, as it is expected, returns with an extended plenipotentiary power to treat of and eventually to conclude a preliminary convention, it will be considered expedient to let such negotiations take place at Copenhagen.

In conclusion, I am empowered to add, that His Majesty the King is prevented by a press of business from answering the letter of his Prussian Majesty, and that he reserves that pleasure for another occasion, when his reply will be expressive of those friendly sentiments which it was never my most gracious master's intention to interrupt.

I remain, &c.

Major von Wildenbruch.

F. M. KNUTH.

*No. 27.—Resolution of Germanic Diet.**Frankfort, le 12 Avril, 1848.*

Sur le rapport de la Commission pour l'affaire du Slesvig-Holstein, la Diète a décidé en sus de sa résolution du 4 de ce mois :

1°. Que, dans le cas où les troupes Danoises ne cesseraient pas les hostilités et n'évacueraient pas le Duché de Slesvig, il fallait les y forcer et sauvegarder le droit du Holstein de rester uni avec le Slesvig, droit qui doit être protégé par la Confédération.

2°. Que, attendu que la Diète Germanique était convaincue qu'on obtiendrait la plus sûre garantie de cette union par l'incorporation du Slesvig dans la Confédération Germanique, le Gouvernement Prussien serait invité à faire en sorte de réaliser cette incorporation dans la mission médiatrice qui lui a été confiée.

3°. Qu'elle reconnaît le Gouvernement Provisoire du pays de Slesvig-Holstein, qui s'est constitué forcément, sous réserve des droits de son duc et, au nom de celui-ci, pour la défense des droits du pays, et qu'elle attend par conséquent de la médiation du Gouvernement Prussien que ce dernier protégera les membres du dit Gouvernement Provisoire et ses partisans.

*No. 28.—The Commander of the Prussian Troops in Holstein to the
Commander-in-chief of the Danish Troops in Schleswig.*

SIR, (Translation.) *Rendsburg, April 16, 1848.*

MAJOR WILDENBRUCH, in His Prussian Majesty's service, whom I yesterday had the honour of announcing to you, has been prevented from undertaking the journey.

I have, therefore, the honour to transmit to you, in writing, the communication which he was to have delivered personally in my name.

In my letter of yesterday's date, I have already had the honour of announcing that it is my duty to re-establish the *status quo ante* disturbed on the part of Denmark.

By this re-establishment is understood :

1. That the Royal Danish troops should evacuate the Duchy of Schleswig, by returning to the same positions occupied by them previous to the commencement of hostilities, that is to say, occupied by them on the 28th ultimo.

2. That the Royal Danish ships of war should at the same time quit the ports and waters of the Duchies.

3. The release of all prisoners, civil or military, made since the commencement of hostilities.

As I presume you will not be furnished with instructions to give me immediately an affirmative answer to the above 3 points, I will wait for it until the 18th in the evening.

It will be matter of the greatest satisfaction to me if I can perform my duty of re-establishing the *status quo ante* in a peaceful manner by the acceptance of my conditions on the part of the Danish Government.

I shall otherwise with regret see myself obliged to give effect to my instructions.

Until I receive your answer, the outposts will receive orders to abstain from all hostilities, if not provoked by the Danish troops.

Accept, &c.

Major-General Hedemann.

V. BONIN.

No. 29.—The British Minister at Berlin to the Prussian Minister for Foreign Affairs.

M. LE BARON,

Berlin, le 18 Avril, 1848.

JE viens de recevoir une dépêche par laquelle Lord Palmerston en se référant à mes dépêches qui annoncent les intentions du Gouvernement de Sa Majesté le Roi de Prusse de faire avancer ses troupes dans le Duché de Slesvig, m'ordonne de témoigner l'espoir très empressé du Gouvernement de Sa Majesté la Reine, que ces intentions ne soient pas exécutées, ou si elles l'ont été, que des ordres soient immédiatement expédiés pour que les troupes Prussiennes se retirent du Slesvig.

Lord Palmerston m'ordonne en même temps de remettre à votre Excellence la copie de l'Article annexé au Traité de Paix entre le Danemarck et la Suède du 3 Juin, 1720,* par lequel la Grande Bretagne donne sa garantie à la Couronne de Danemarck de ces portions du Duché de Slesvig desquelles elle était alors en possession.

En me conformant à ces ordres je ne peux mieux remplir les intentions de mon Gouvernement qu'en mettant sous les yeux de votre Excellence une copie de la dépêche de Lord Palmerston, et je saisis, &c.

Le Baron Arnim.

WESTMORLAND.

No. 30.—The Prussian Minister for Foreign Affairs to the British Minister at Berlin.

M. LE COMTE,

Berlin, ce 19 Avril, 1848.

J'AI eu l'honneur de recevoir votre office en date d'hier et ses annexes concernant l'affaire de Slesvig-Holstein.

La dépêche de Lord Palmerston du 12, et qui vous charge de cette communication, s'est croisée avec ma lettre de la même date, dans laquelle j'ai eu l'honneur de vous expliquer la conduite du Gouvernement du Roi, en vous marquant la base légale de ses actes et de ses intentions dans cette affaire.

Je me plais à croire que cet exposé, en rétablissant le véritable point de vue, aura eu l'effet de modifier la manière de voir du Gouvernement Britannique sur la question en litige.

Depuis, une nouvelle résolution de la Diète Germanique en date du 12 courant a décidé que si l'évacuation du Duché de Slesvig par les troupes Danoises n'était pas effectuée, elle doit être obtenue par la force, afin de sauvegarder les droits fédéraux du Holstein sur son union avec le Slesvig.

Conformément à cette résolution, le corps d'armée de la Confédération sous le commandement du Général Halkett doit entrer dans le Duché de Slesvig pour y accomplir la tâche dont il est chargé.

Ce n'est qu'après l'accomplissement de cette tâche que commencera celle du Gouvernement du Roi, qui est la médiation, au nom de la Confédération, entre le Roi de Danemarck et ses sujets Allemands.

Si avant cette époque, que nous appelons de tous nos vœux, le Gouvernement du Roi voulait rappeler ses troupes, qui sont celles de la Confédération, il manquerait à un de ses devoirs les plus sacrés comme membre du Corps Germanique.

J'ose croire que le Gouvernement Britannique appréciera comme elle le mérite cette position de la Prusse, et qu'il reconnaîtra que le Gouvernement du Roi n'a pas le droit d'exercer une action isolée dans la circonstance dont il s'agit. Toutefois, pour répondre autant qu'il est en lui aux vœux du Gouvernement Britannique, le Gouvernement du Roi s'empressera d'instruire la Diète Germanique de la dépêche de Lord Palmerston du 12 courant, et il ne tardera pas, M. le Comte, de vous faire parvenir la réponse aussitôt qu'il l'aura reçue.

Dans votre office du 18 courant, et dans les pièces qui l'accompagnent, il est encore question de la garantie d'une partie du Slesvig donnée par la Grande Bretagne. Le Gouvernement du Roi connaît et reconnaît parfaitement cette garantie, mais il est d'avis que le différend actuel n'y touche en aucune manière.

La garantie de la Grande Bretagne conserve tout son effet et restera aussi intacte que la souveraineté du Roi de Danemarck sur son Duché de Slesvig-Holstein.

La Confédération Germanique ne pense pas à contester cette souveraineté d'un de ses membres, elle n'a reconnu le Gouvernement Provisoire de Rendsbourg que comme exerçant son autorité du Roi-Duc, et si le Gouvernement du Roi s'est hâté de s'interposer entre le Danemarck et les Duchés, si la Diète Germanique n'a pas tardé de ratifier et renforcer cette action fédérale de la Prusse, l'intention évidente de ces mesures était non seulement de protéger les droits légitimes de l'Allemagne contre l'agression Danoise, mais

aussi, et tout autant, de veiller à ce que les droits légitimes du Roi-Duc ne fussent compromis par l'éclat d'un conflit sanglant et par une guerre civile pendant laquelle la résistance légale et la défense d'un droit pouvaient facilement dégénérer en rébellion et en usurpation de droits également sacrés.

Ce résultat fâcheux pour le Danemark et menaçant en même temps pour le repos des Etats limitrophes de la péninsule, a été prévenu par la prompte action de la Prusse et la présence des troupes fédérales dans le Holstein.

Ce but, malgré l'emploi de la force de la part du Danemark, reste aussi compris dans la médiation armée, dont la Prusse est chargée par la Diète Germanique et forme une partie essentielle de sa tâche toute d'impartialité et de pacification.

Si le Gouvernement Britannique voulait, par son influence sur le Gouvernement Danois, contribuer à cette pacification, la Diète Germanique reconnaîtrait sans doute volontiers les bons offices d'un allié bienveillant et impartial dans l'intérêt commun de la paix et de l'ordre.

Je saisis, &c.

Le Comte de Westmorland.

ARNIM.

No. 31.—The Hon. E. J. Stanley to Messrs. Faith, Forbes, and Co.

GENTLEMEN,

Foreign Office, April 19, 1848.

I AM directed by Viscount Palmerston to acknowledge the receipt of your letter of the 19th instant, requesting to be informed whether in the event of your property now laden on Prussian vessels being taken or detained by the Danish Government, Her Majesty's Government will demand the restoration of the same to you, or the payment of the invoice cost and charges. In reply, I am to inform you, that in the event of war between Denmark and Prussia, Danish ships-of-war would have a right to capture and carry in for adjudication the merchant vessels of Prussia, and Prussian ships-of-war would equally have a right to capture the merchant vessels of Denmark, notwithstanding that the cargoes which such merchant vessels respectively might be laden with should be the property of British subjects, and Her Majesty's Government would not be justified in interfering to prevent the exercise of such belligerent right by either of the contending parties. But British subjects being owners of such cargoes would be entitled, in their character of neutrals, to obtain restitution of their property by means of claims duly made and substantiated in the prize court of the country of the captor. Her Majesty's Government could only be called upon to interfere in case of denial of justice.

I have, &c.

Messrs. Faith, Forbes, and Co.

E. J. STANLEY.

No. 32.—*The Danish Minister for Foreign Affairs to the Danish Minister in London.*

M. LE COMTE,

Copenhagen, le 22 Avril, 1848.

JE vous adresse une dépêche qui résume la politique du Gouvernement du Roi en présence des grands et graves événements qui se passent dans les Duchés.

Sans avoir pour but de vous munir d'instructions spéciales, elle renferme quelques données générales que vous voudrez bien utiliser, M. le Comte, toutes les fois que des occasions se présentent, pour faire bien connaître et apprécier la politique que nous suivons.

Vous êtes autorisé à laisser une copie de ma présente dépêche entre les mains de Lord Palmerston et de M. le Baron de Brunnov, si toutefois vous le jugerez convenable.

Vous pourrez même dans la conversation avec MM. les Ministres vos collègues, afin de les éclairer sur les vrais motifs de notre conduite, leur en faire officieusement lecture de quelque fragment. Je m'en rapporte sur la mesure et le choix à votre discernement.

Les appréhensions que je vous ai exprimées, M. le Comte, n'ont été que trop justifiées. Après des hésitations contradictoires, la politique du Cabinet de Berlin s'est présentée enfin le front découvert, et à l'heure qu'il est, la guerre est devenue inévitable entre le Danemarck et la Prusse.

Le Gouvernement du Roi sent toute la portée d'un accident aussi grave et devant nécessairement ajouter une complication des plus funestes à la crise du moment.

Mais fidèle à ses devoirs et à ses principes le Gouvernement du Roi est fermement résolu à ne point reculer dans la voie actuelle. Il ne l'a pas abordée, vous le savez, M. le Comte, sans avoir tenté et épuisé tous les moyens de réconciliation compatibles avec la dignité de la Couronne et l'honneur national.

Le Cabinet de Berlin a assumé sur lui une terrible responsabilité en troublant la paix du monde. La politique menace l'Europe d'une conflagration générale.

Les changements que les populations Germaniques rêvent pour l'Allemagne, ne pourront s'accomplir que par le remaniement territorial et le bouleversement de l'ordre social Européen.

Repoussés en Italie, rencontrant une forte opposition dans le grand élément slave, froissés dans les collisions qui jadis eurent lieu dans le Luxembourg, les Allemands au lieu de s'occuper sérieusement de leur grand but,—l'institution d'une Confédération forte et vraiment nationale, jettent le défi à tous les pays avoisinans, en exigeant que chaque pays où la langue Allemande est prédominante, devra leur appartenir. C'est demander à la Suisse ses cantons Allemands, à la France, l'Alsace et la Lorraine, à la Russie ses provinces Allemandes sur la Baltique, et au Danemarck enfin la partie méridionale du Slesvig.

Sous l'empire de l'entraînement des populations Germaniques, la Prusse n'a pas tardé à favoriser ces vellétés conquérantes, et l'Allemagne fond d'abord sur le Danemarck; cette Puissance étant la plus faible, les prétextes, les subterfuges, les apparences de tout genre dont on a voulu décorer cet acte de violence et d'iniquité inouïes, vous sont suffisamment connus, M. le Comte. La nation Danoise, qui ne saurait assister de sang-froid au démembrement de la patrie, est représentée comme aspirant à l'oppression et à l'agrandissement, tandis qu'au contraire, c'est la Confédération Germanique qui a l'intention, hautement avouée maintenant, d'incorporer le Slesvig. Le but secret de ces projets d'envahissements est de se créer un littoral plus vaste, des ports et des débouchés. La prévoyance des Grandes Puissances maritimes y trouvera, nous n'en doutons pas, le nœud de nombreuses et graves complications, car avec le Slesvig uni au Holstein et formant la limite septentrionale du Zollverein, l'Allemagne dominerait les portes de la Baltique, dicterait la loi à l'industrie étrangère y cherchant des débouchés ou des matières premières, et bientôt sa flotte entrerait avantageusement en ligne avec celles des Grandes Puissances.

N'oublions pas que les Villes Libres et Anséatiques devraient alors forcément entrer dans la ligue douanière Allemande.

Il est connu avec quelle résistance opiniâtre les villes de Hambourg et de Lubeck se sont jusqu'ici opposées au projet favori de la politique commerciale du Cabinet de Berlin. Mais dès le moment où nos Duchés seraient associés à cette union, l'indépendance commerciale de ces villes aurait cessé d'exister.

Nous voyons déjà comment ces villes sont obligées d'abandonner leur neutralité et de suivre, bien malgré elles et au mépris de leur propre intérêt, l'entraînement des Puissances limitrophes.

C'est par ce motif surtout que l'Allemagne—nous disons l'Allemagne, car la Prusse a entraîné sur ses voies le Hanovre, le Brunswick, le Mecklenbourg, et l'Oldenbourg—veut arracher au Danemarck une portion de son antique et homogène noyau. Et la Confédération Germanique instituée par des Princes Allemands dans le but du maintien de l'indépendance réciproque et de la garantie mutuelle des Etats confédérés, permet qu'on attaque l'arme à la main un de ses membres, sans que dans sa qualité de Duc de Holstein, le Roi de Danemarck ait jamais manqué un seul de ses devoirs fédératifs. Bien loin de là, ce Souverain est pour ainsi dire le seul parmi les Princes possédant des provinces Allemandes qui par la spontanéité la plus libre ait accordé à ses Duchés Allemands le développement et l'indépendance conformes aux vœux de la nation Allemande.

La Confédération appelée à maintenir et à défendre l'état des choses institué en 1816, et à conserver intactes les limites de l'Allemagne, au lieu de remplir cette mission, a foulé aux pieds sa loi fondamentale et les Traités qui lui servaient de base. Placée sous

le coup des passions effrénées, et après s'être abaissée au point de sanctionner une révolte ouverte contre un Souverain légitime, et d'accorder sa protection tutélaire à des rebelles, la Diète de Francfort ne saurait en vérité plus être envisagée comme l'organe légal de la Confédération Germanique.

C'est dans les décrets émanés d'une telle Assemblée que la Prusse cherche son appui moral des décrets que dans les derniers temps du reste elle a pris l'habitude de provoquer et d'anticiper.

Profitant d'un moment où tous les Cabinets de l'Europe sont plus ou moins préoccupés de leurs affaires intérieures, la Prusse s'est crue en mesure de se permettre et d'accomplir impunément les iniquités les plus injurieuses envers le Danemarque.

Vous trouverez ci-jointe copie d'une lettre renfermant l'ultimatum du général en chef des troupes Prussiennes, le Colonel Bonin.

Evacuation du Duché de Slesvig.

Disparition simultanée de notre force des ports et des parages des Duchés.

Elargissement immédiat de nos prisonniers de guerre.

Telles sont les conditions que la Prusse a osé nous offrir comme bases de toute négociation ultérieure.

Ce n'est pas assez qu'on veut empêcher au Roi de réprimer et d'apaiser la révolte et l'anarchie dans le Holstein, duché qui depuis longtemps et sans que la Confédération y ait fait la moindre objection, s'est trouvé uni par des liens administratifs, non seulement au Slesvig, mais aussi au royaume proprement dit ; mais on veut même défendre au Roi de rétablir l'ordre et la tranquillité dans une partie intégrante de sa monarchie qui est restée complètement endehors de la Confédération, et que Sa Majesté possède d'une souveraineté pleine et indivise.

Non seulement on exige du Roi de ne point franchir la frontière fédérale du Holstein, dans lequel les troupes de la Confédération sont entrées pour favoriser et appuyer une révolte ouverte contre son pouvoir et son autorité légitimes, mais on veut en outre lui enjoindre de retirer ses troupes d'une de ses provinces étant entièrement hors d'une influence quelconque de la Diète ; on veut lui défendre de rétablir l'ordre légal dans ses Duchés ; on veut lui interdire de faire apparaître des bâtiments de guerre dans des parages placés sous sa domination !

Impossible de s'imaginer des stipulations plus humiliantes, plus outrageantes ; aussi ont-elles été accueillies par un cri de réprobation universel. De telles conditions imposent la guerre.

Sans la craindre, nous ne nous dissimulons nullement combien la lutte qui va s'engager est inégale. Nous ne nous faisons aucune illusion sur nos ressources ; nous savons très bien qu'à la longue nous ne saurions guères continuer le combat contre une supériorité aussi démesurée.

Mais nous espérons avec confiance en l'assistance des Puissances amies et alliées. Leurs sympathies pour le Danemarck deviendront, nous l'espérons, plus vives, elles se manifesteront plus hautement, elles seront plus efficaces dans leurs effets à mesure que les dangers qui menacent notre existence deviendront plus imminens, et lorsque les Danois dans un chaleureux dévouement pour la patrie et pour leur juste et sainte cause, repousseront courageusement l'invasion, et seront toujours prêtes à soutenir la lutte jusqu'à la dernière extrémité.

Je ne doute pas, M. le Comte, que guidé par votre patriotisme, votre zèle éclairé et votre parfaite connaissance de notre politique, vous n'ayez adapté votre langage d'après la marche et le développement des événements, qui rendent de jour en jour, d'un moment à l'autre, les circonstances plus critiques, et le besoin d'une assistance prompte, d'un concours efficace, plus pressant.

Il nous est donc de la plus haute importance de connaître à fond la politique du Gouvernement de Sa Majesté Britannique, ses vues et ses intentions à notre égard, enfin de savoir au juste ce qu'il veut faire pour nous.

Vous savez avec quelle confiance nos regards se sont portés vers la Grande Bretagne. Vous comprenez l'anxiété que l'incertitude sur ses intentions, sur l'étendue de son assistance, fait naître dans le peuple. Je vous prie, M. le Comte, de n'épargner aucune représentation, aucun moyen, aucune instance auprès de Lord Palmerston, pour obtenir dans le plus bref délai possible une réponse claire, propre à accomplir nos justes attentes et propre à nous rassurer contre la triste perspective qui se dévoile devant nous. Il n'aura point échappé à la haute sagesse, à la pénétration d'esprit de cet illustre homme d'Etat, que ce n'est pas seulement l'honneur de la Grande Bretagne qui se trouve engagé ici, cet honneur que Lord Palmerston sait si bien défendre partout et contre tout, mais que les principes conservateurs, les intérêts commerciaux et industriels de l'Angleterre sont compromis, mais que sa grande et salutaire influence morale a été sensiblement atteinte par la manière d'agir de la Prusse.

Cette Puissance, après avoir demandé elle-même la médiation de la Grande Bretagne, est la première à la repousser. Vous savez, M. le Comte, que Sir Henry Wynn a été chargé d'offrir au Gouvernement du Roi les bons offices de l'intervention amicale de la Grande Bretagne afin de prévenir une collision entre les troupes des parties respectives. Je vous fais tenir sous ce pli des copies des notes échangées à cette occasion. Je n'ai pas besoin de vous dire avec quelle reconnaissance nous avons accueilli ce premier effet des bonnes dispositions dont l'Angleterre est animée à notre égard, et combien nous apprécions à la juste valeur l'offre qu'elle vient de nous faire par l'entremise de son Représentant à la Cour du Roi. Nous aimons à y voir une nouvelle preuve de ces mêmes efforts

loyaux et modérés par lesquels cette Grande Puissance a réussi pendant de longues années à conserver la paix générale. Je ne saurais cependant vous dissimuler, M. le Comte, que j'ai la conviction personnelle et intime, que dans les circonstances actuelles une telle intervention amicale ne saurait aucunement plus suffire pour atteindre, à elle-seule, le but que s'est si généreusement proposé la Grande Bretagne, de conserver la paix, fondée sur le respect des droits d'autres.

Les procédés de la Prusse envers nous, les conditions qu'elle nous a posées et que je viens de retracer tout à l'heure, ne l'attestent que trop.

Tout ce que le Cabinet de St. James a fait jusqu'ici pour arrêter les démarches hostiles, les actes illégaux et illégitimes de la Prusse et des autres Puissances du Nord de l'Allemagne, est resté jusqu'à ce moment sans effet sur les Cabinets de Berlin et de Hanovre, et sur la mauvaise volonté surtout du premier entr'eux.

Je dois reconnaître ici, et je le fais avec un vrai plaisir, que les démarches du Gouvernement de Sa Majesté Britannique, guidées par la sagesse qui les distingue toujours, ont été secondées par un loyal concours de ses Agents Diplomatiques, qui souvent même ont dû agir d'après leur inspiration quand la marche rapide des événements rendait impossible la demande d'instructions spéciales pour les cas qui se sont présentés.

Mais dans la grande affaire qui nous préoccupe, il n'y a plus question seulement d'une différence d'opinions entre les Gouvernements Allemands et le nôtre. Une telle divergence d'avis aurait incontestablement pu devenir objet d'une intervention amicale et de négociations futures auxquelles nous serions heureux et fiers de pouvoir assigner à la Grande Bretagne une très large part. Mais l'état de choses a subitement et beaucoup changé. Après la défaite complète de l'armée des insurgés et l'occupation du Slesvig, la sédition aurait été entièrement réprimée, et l'ordre et la paix, ces grands biens de l'humanité, n'auraient pas tardé à être rendus largement et de grand cœur aux populations des Duchés, si la Prusse n'avait placé son bouclier devant les rebelles.

C'est ainsi que doivent recommencer les hostilités et que le sang coulera de nouveau.

Ce n'est plus pour apaiser une insurrection que nous combattons, mais pour défendre notre patrie contre une agression inouïe.

Sérieusement menacés que nous le sommes dans la possession du Slesvig, nous nous adressons une seconde fois par votre intermédiaire, M. le Comte, à la Grande Bretagne, pour lui demander l'accomplissement de sa garantie. Vous seconderez, nous ne doutons pas, cette juste et légitime demande des sollicitations les plus pressantes, et réclamerez non seulement l'accomplissement de cet arrangement

solennel, mais encore une coopération active et efficace en notre faveur entre le Cabinet de St. James et celui de St. Pétersbourg.

Vous savez, M. le Comte, combien nous devons désirer cette coopération, et combien nous sommes fondés à la regarder comme indispensable pour assurer la réussite de toute intervention, pour mener à heureuse fin toute œuvre de négociation.

J'approuve donc entièrement le langage que vous avez tenu dans vos entretiens avec M. de Brunnow, et je vois avec plaisir que vous fréquentez ce Ministre influent. La loyale franchise avec laquelle vous lui avez fait part de tout ce qui a rapport à notre grande question répond à la fois à notre politique et à votre caractère. Les remarques et observations judicieuses du Ministre de Russie méritent toute notre attention, en même temps qu'elles témoignent de l'intérêt que vous avez su lui inspirer pour notre cause. Vous lui direz que nous tiendrons ferme jusqu'au bout. Vous verrez, M. le Comte, par la copie ci-jointe d'une dépêche que M. le Ministre des Affaires Etrangères de Sa Majesté le Roi de Suède et de Norvège a adressée à M. le Baron de Rehausen, et que M. de Lagerheim a bien voulu nous communiquer, que pour le moment le Gouvernement Suédois désire ne pas sortir des limites d'une stricte neutralité.

Il est possible, cependant, que cette Puissance voisine et amie abandonnera ce rôle passif, aussitôt que la Grande Bretagne et la Russie, comme du moins nous l'espérons, se seront prononcées d'une manière qui ne laissera aucun doute sur leur ferme volonté de nous venir en aide, et dès que son Représentant à Londres aura de sorte été mis à même de donner à sa Cour les assurances les plus positives sur les bonnes dispositions du Cabinet de St. James à notre égard, ainsi que sur les relations de bonne et cordiale intelligence subsistantes entre ce dernier et le Cabinet de St. Pétersbourg.

Il nous importe par conséquent de bien connaître l'esprit dans lequel les rapports du Baron de Rehausen sont dictés. Je crois utile de vous transmettre une copie exacte et dûment légalisée de l'Acte du $\frac{23}{8}$ Juillet, 1720,* par lequel la Grande Bretagne a garanti au Roi Frédéric IV de Danemarck, à ses héritiers et successeurs, la possession du Duché de Slesvig.

Depuis le 19 de ce mois il a été défendu aux navires marchands Prussiens de sortir de nos ports; cet embargo frappe également les bâtiments Prussiens qui passent par le Sund et les Belts. Ils ne seront en attendant pas déclarés bonnes prises avant que la Prusse aura commencé ouvertement les hostilités, en nous attaquant dans le Slesvig. La lecture de ma note de ce jourd'hui à M. le Baron Schultz d'Ascheraden vous mettra à même de vous former une opinion arrêtée sur notre position vis-à-vis du Cabinet de Berlin.

Durant le cours de la guerre des lettres de marque ne seront,

selon toute apparence, point délivrés à des armateurs particuliers. Quelles que seront du reste les mesures que prendra le Gouvernement du Roi, placé comme il est dans la nécessité d'user de représailles, il ne perdra jamais de vue les égards dûs aux pavillons et aux sujets des Puissances alliées, amies ou neutres, et il veillera à leurs intérêts avec un soin non interrompu.

La lecture d'une note que j'ai adressée à ce sujet à Sir Henry Wynn, et que je vous fais tenir également ci-jointe en copie, vous fera connaître plus amplement les principes et les vues du Gouvernement du Roi dans les mesures qu'il a prises touchant cette importante question.

Le Roi se rendra prochainement à Odense, et peut-être à Copenhague, dans le but d'organiser des corps de réserve.

Sa Majesté n'a pas été bien portante dans le dernier temps : son indisposition n'offre en attendant, j'ai hâte de le dire, aucun symptôme alarmant.

Le meilleur esprit règne dans l'armée, et nos troupes brûlent d'impatience de se battre.

J'ai, &c.

Le Comte Reventlow.

F. M. KNUTH.

No. 33.—The President of the German Diet to the British Secretary of State for Foreign Affairs.—(Rec. April 27.)

MY LORD,

Francfort, le 23 Avril, 1848.

LA Diète Germanique, après avoir pris connaissance des dernières communications que le Gouvernement de Sa Majesté Britannique lui a fait faire par le Ministre accrédité près la Sérénissime Confédération Germanique, a pris la résolution de charger un de ses membres de se rendre à Londres afin de donner au Gouvernement de Sa Majesté Britannique les explications les plus complètes sur la position de la Confédération vis-à-vis les Duchés de Holstein et de Slesvig ainsi que vis-à-vis la Couronne de Danemarck. M. le Syndic Banks, Ministre de la ville libre de Hambourg à la Diète, a été choisi pour cette honorable et importante mission. C'est lui qui aura l'honneur de remettre les présentes à votre Excellence. Il lui exprimera combien la Diète met d'importance à déclarer par l'organe de la première mission directe que la Confédération Germanique adresse au Gouvernement Anglais, sa confiance dans les sentiments d'amitié que Sa Majesté la Reine du Royaume Uni de la Grande Bretagne et d'Irlande a toujours manifestés pour les Princes Souverains et les Villes Libres d'Allemagne, et les témoignages de la résolution d'entretenir les meilleures relations entre les 2 pays qu'a toujours donnés le Gouvernement de Sa Majesté.

Le Vicomte Palmerston, G.C.B.

COLLOREDO,

Le Président de la Diète.

No. 34.—Declaration of the Danish Government of the Blockade of the German Ports.

(Translation.)

Copenhagen, le 29 Avril, 1848.

Nous Frédéric VII, par la grace de Dieu Roi de Danemark, &c., savoir faisons :

Par suite des hostilités survenues entre nous et entre leurs Majestés les Rois de Prusse et de Hanovre, leurs Altesses Royales les Grands-Ducs d'Oldenbourg et de Mecklenbourg, et les villes libres Anseatiques de Lubeck, Hambourg et Brême nous nous sommes vu dans la nécessité de déclarer en état de blocus les ports, le littoral et les embouchures des fleuves de ces états, ainsi que ceux des ports de nos propres états qui sont occupés par les troupes de ces Souverains et de ces villes libres.

Nous avons ordonné à nos vaisseaux de guerre de mettre à exécution la dite mesure et de ne permettre ni à nos propres navires ni à ceux des Puissances alliées, amies et neutres d'entrer dans les ports et les endroits bloqués par nos vaisseaux de guerre.

FREDERIC R.

No. 35.—The Prussian Minister for Foreign Affairs to the British Minister at Berlin.

M. LE COMTE,

Berlin, le 30 Avril, 1848.

J'AI l'honneur de vous accuser la réception de votre office du 28 courant, relativement à l'affaire du Slesvig-Holstein. Les instructions ultérieures que vous avez reçues à cet égard et dont vous avez bien voulu me communiquer la substance, vous engagent à réitérer au Gouvernement du Roi le désir empressé du Cabinet de Sa Majesté Britannique de voir terminées les hostilités engagées dans le Slesvig entre les troupes du Corps Germanique et celles du Danemark, afin de pouvoir établir aussitôt que possible des négociations diplomatiques sous la médiation du Cabinet Anglais pour l'arrangement du différend en question.

J'ai eu l'honneur, M. le Comte, de vous indiquer par mes lettres du 19* et 28 du courant, les conditions sous lesquelles le Cabinet de Sa Majesté le Roi est autorisé, suivant les résolutions de la Diète Germanique, à accepter la médiation de l'Angleterre et d'entrer en négociations pour l'arrangement de la question en litige à l'heure qu'il est. Ces conditions se trouvent réalisées en tant que le *statu quo* dans le Slesvig est rétabli par l'évacuation de ce Duché de la part des troupes Danoises.

La Confédération Germanique serait donc à même de pouvoir se borner aux mesures nécessaires pour la sûreté du Slesvig, si le Danemark, de son côté, était prêt à renoncer à toute nouvelle attaque contre ce pays, ainsi qu'aux mesures hostiles qu'il a prises contre le com-

merce et la propriété Allemandes. Le Danemarc jusqu'à présent n'a manifesté d'aucune manière le désir de faire cesser les hostilités. Il continue de sévir contre la propriété privée en faisant amener des navires Prussiens et Allemands. Des vaisseaux sont partis de Copenhague pour bloquer les embouchûres de l'Elbe.

Il est évident que le Corps Germanique et la Prusse doivent user de tous les moyens qui sont à leur portée pour mettre fin aussi vite que possible à un pareil état de choses et pour se mettre en état de pouvoir obtenir une réparation complète de tous les dommages et pertes que la propriété Allemande a déjà soufferts, ou qu'elle aurait encore à souffrir.

Je me fais un devoir de vous prévenir, M. le Comte, que la Diète Germanique vient de nous autoriser à faire avancer, en cas de besoin, les troupes fédérales au delà des limites du Slesvig, pour occuper telle partie du territoire Danois qui paraîtra constituer un gage suffisant pour les restitutions que l'Allemagne aurait à demander au Danemarc.

Cependant nous serions dans le cas de pouvoir renoncer à cette mesure, si le Gouvernement de Sa Majesté Britannique, en interposant sa médiation bienveillante, voudrait engager le Danemarc à faire cesser incessamment toutes les hostilités par terre et par mer, et nous assurer, par sa garantie, la levée immédiate de tous les embargos ainsi que la réparation de toutes les pertes et dommages faits à la propriété privée.

Recevez, &c.

Le Comte de Westmorland.

ARNIM.

No. 36.—The British and Russian Ministers at Copenhagen to the General of the Prussian Army.

M. LE GENERAL, *Copenhague, le 30 Avril, 1848.*

L'ANGLETERRE et la Russie s'étant déclarées prêtes à interposer leurs bons offices dans les différences qui ont éclaté entre le Danemarc et l'Allemagne, cette office a été acceptée par l'une des parties contendantes, et le sera sans doute aussi par l'autre.

En attendant, des conflits sanglans ont eu lieu, et l'armée sous les ordres de votre Excellence a occupé les Duchés de Holstein et de Slesvig, qui formaient l'objet des différends dont il s'agit.

Dans cet état de choses les Représentants d'Angleterre et de Russie près la Cour de Copenhague, informés officiellement des vues conciliatrices de leurs Gouvernements, croiraient manquer aux devoirs de l'humanité, s'ils ne faisaient pas des efforts pour arrêter l'effusion du sang, qui n'a malheureusement que trop coulé de part et d'autre, et pour préparer par là les voies à une entente qui puisse préserver l'Europe de la conflagration générale dont elle est menacée par la lutte actuelle.

Nous avons par conséquent l'honneur, M. le Général, de nous

adresser à vous, en faisant appel aux sentiments bien connus de loyauté de votre Excellence, et en lui proposant, de concert avec le Gouvernement Danois, les points ci-après :

1. MM. le Commandeurs-en-chef des armées opposées conviendront d'un armistice de trois semaines.

2. Les troupes sous les armes de votre Excellence ainsi que les troupes Danoises garderont leurs positions actuelles pendant la durée de l'armistice.

3. Dans le cas où des troupes de la Confédération Germanique fussent entrées dans le Jutland, elles seront immédiatement rap-
pelées.

4. Pendant l'armistice le Gouvernement Danois ne fera saisir aucun bâtiment marchand ou autre appartenant à la Prusse ou aux Etats et Villes Libres avec lesquels il est en hostilité. Les navires qui, faute d'avertissement, seraient saisis à dater du jour de la conclusion de l'armistice jusqu'à son-expiration, seront relâchés du moment où ce fait sera constaté.

Nous aimons à espérer, M. le Général, que vous trouverez ces stipulations fondées sur l'équité, et que votre Excellence sera d'autant plus portée à y donner son assentiment, que le Slesvig, à la seule exception de l'île d'Alsen, qui est dans des rapports différents du reste de ce Duché—étant évacué par les troupes Danoises, la condition que le Gouvernement Prussien avait exigée avant d'entamer des négociations, se trouve complètement remplie, et que d'ailleurs l'honneur militaire des troupes de la Confédération a eu sa satisfaction.

Le Premier Secrétaire de la Légation de Russie à Copenhague, M. le Conseiller de Collège d'Evers, est chargé de mettre la présente entre les mains de votre Excellence. Veuillez, M. le Général, honorer cet employé d'une entrevue et lui faire connaître vos décisions, afin qu'il puisse en informer sans perte de temps M. le Général de Hedemann.

Nous saisissons, &c.

H. W. WYNN.

STERNBERG.

M. le Général Wrangel.

No. 37.—*The General of the Prussian Army to the British and Russian Ministers at Copenhagen.*

(Translation.)

Gudse, near Frederica, May 2, 1848.

I HAD the honour this day of receiving the letter of your Excellencies, dated 30th ultimo, relating to an armistice between the army of the German Confederation now in Schleswig-Holstein and Jutland, and the Royal Danish army.

Although as much animated as your Excellencies, by the wish of seeing the present war brought to a speedy termination, I am however entirely unable to accede to the terms proposed to me for an

armistice. I have moreover no instructions from the High German Confederation for the conclusion of an armistice. In consideration, however, of the peculiar circumstances which have occasioned the present war, I am willing, on my own responsibility, to conclude such an armistice, provided

1. That the Island of Alsen and all other islands belonging to Schleswig and Holstein still occupied by the Danes be evacuated by them. Any wounded persons therein found shall not be considered by me as prisoners of war, but as soon as they are recovered shall be sent back to Denmark.

2. That all German ships detained up to the conclusion of the armistice, no matter to what State of Germany belonging, shall be given up, and trade be again thrown open to all German ports.

On the above terms I will evacuate Jutland with the troops under my command.

I must leave it to the discretion of your Excellencies either to arrange with the Royal Danish Government for an armistice on these conditions, or to negotiate directly with the High German Confederation, from which body alone I can receive my further instructions.

I seize this opportunity, &c.

Sir H. W. Wynn.

WRANGEL.

Baron Sternberg.

No. 38.—Declaration made by Sweden to Prussia.

(Traduction.)

Berlin, May 9, 1848.

LES événements qui viennent de se passer dernièrement en Danemarck, et l'entrée à main armée des troupes de Sa Majesté le Roi de Prusse et de plusieurs Etats de la Confédération Germanique dans le Duché de Slesvig, n'ont pu qu'éveiller à un haut degré la sollicitude de Sa Majesté le Roi de Suède et de Norvège. En se fondant sur les droits imprescriptibles des Royaumes Unis de participer aux décisions adoptées à l'égard du Nord, et sur les dangers qui pourraient résulter pour le maintien de l'équilibre politique assuré par les Traités existants, de l'agression dont le Danemarck est devenu l'objet, le Roi croit devoir porter à la connaissance de la Cour de Berlin sa manière d'envisager la situation actuelle, et lui déclarer avec franchise et loyauté, la ligne de conduite que Sa Majesté, se rendant au désir exprimé par Sa Majesté le Roi de Danemarck, s'est décidé à suivre, et qu'elle considère comme étant pleinement justifiée par les complications politiques du moment.

Il n'appartient point au Roi de décider la question litigieuse relativement au Duché de Slesvig; la possession de ce pays a été garantie au Danemarck par d'autres Puissances, qui ont déjà offert leurs bons offices pour aplanir le différend qui s'est malheureuse-

ment élevé, et ce n'est de concert avec elles que Sa Majesté croira devoir se prononcer sur cette question.

Mais pour le cas que la lutte ne se bornait point au Duché de Slesvig, s'il devenait à craindre que les troupes de la Confédération Germanique se portassent dans d'autres provinces de la Monarchie Danoise, le Roi ne saurait voir d'un œil indifférent une attaque pareille contre l'indépendance d'une Puissance voisine et alliée, et trouverait dans les périls qui pourraient en résulter pour la sûreté et l'inviolabilité de ses propres Etats, une raison suffisante pour porter un corps d'armée en l'ionie ou dans toute autre des îles de la Monarchie Danoise, avec ordre de se réunir aux forces militaires de Sa Majesté Danoise et d'agir de concert avec elles dans le but purement défensif de s'opposer à toute invasion ou descente des forces Allemandes.

Le Roi fait en conséquence sortir une escadre de Carlsrona et assembler des troupes sur ses frontières. Les circonstances décideront des ordres qui leur seront donnés, et si elles devront s'embarquer pour les Etats de Sa Majesté Danoise.

Ces mesures, dictées par un sentiment de conservation dont il serait impossible de contester le caractère de justice et de modération, n'offrent aucun aspect agressif, et la Cour de Berlin se convaincra qu'elles n'ont été prises que lorsque les choses en étaient venues à un point qui ne permettrait plus aux royaumes unis de rester spectateurs tranquilles d'une lutte déplorable qui s'approchait de plus en plus de leurs limites, et touchait à leurs intérêts les plus chers.

Le Roi nourrit un désir bien sincère de voir terminer par un arrangement amical la regrettable dissention qui a surgi entre le Danemarck et l'Allemagne, et Sa Majesté n'a point perdu l'espoir de voir renaître entre ces pays la bonne intelligence si indispensable à leurs intérêts réciproques.

Le Roi s'empressera toujours de concourir à une solution pacifique et basée sur des conditions justes et équitables. Afin de pouvoir y arriver, il serait nécessaire que les hostilités fussent suspendues de part et d'autre, et que des négociations fussent ouvertes sous la médiation des Puissances qui par leur position ou leurs rapports politiques, ont le droit et le désir de s'interposer pour le rétablissement de la paix et de la bonne harmonie.

En faisant parvenir la présente déclaration au Gouvernement de Sa Majesté le Roi de Prusse, le Roi croit pouvoir exprimer le désir que, par son bienveillant intermédiaire, elle soit communiquée aux Puissances membres de la Confédération Germanique.

D'O'HSSON.

No. 39.—*The Provisional Government of Schleswig-Holstein to the Prussian Minister for Foreign Affairs.*

(Traduction.)

Rendsbourg, ce 17 Mai, 1848.

Le Gouvernement Provisoire de Slesvig-Holstein a reçu connaissance par la Légation de Holstein accréditée à la Diète Germanique, des principes que votre Excellence a présentés à la Diète, et qui doivent servir de guide pour apaiser la querelle existant entre le Danemarc et les Duchés.

Le Gouvernement Provisoire a vu avec plaisir que votre Excellence désire une entente sur les points essentiels qui ont été établis comme condition d'un arrangement à faire entre le Danemarc et les Duchés, et il croit devoir se permettre, en considération de l'importance d'une pacification prochaine, de soumettre à votre Excellence les observations suivantes relativement aux propositions de paix de votre Gouvernement.

Le Gouvernement Provisoire est tout-à-fait d'accord que les 3 principes suivants soient adoptés comme base du Traité de Paix :

1. Le Slesvig et le Holstein sont inséparables.
2. Ce duché réuni se trouve dans la juste possession d'une indépendance fondée dans le droit public.
3. La ligne mâle de la Maison d'Oldenbourg a le droit exclusif de succéder dans les Duchés.

Il ne peut y avoir de différence d'opinions du point de vue Allemand sur ce que ces droits ne peuvent être garantis que par la réception du Slesvig dans la Confédération Allemande ; ainsi que par la séparation entière de toutes les relations avec le Danemarc qui sont d'une nature militaire, financière et administrative, et que le consentement du Roi de Danemarc à ces mesures doit nécessairement être une condition de la paix. C'est donc avec un plaisir particulier que le Gouvernement Provisoire a appris que le Gouvernement Prussien a reconnu cette base des négociations de paix comme la véritable. Il croit seulement devoir ajouter le désir que cette base du droit ne soit pas abandonnée en déclarant admissible la séparation de la partie septentrionale du Slesvig d'après les nationalités. Il est vrai que le Gouvernement Provisoire, immédiatement après son établissement, et animé du désir d'éviter une lutte imminente, a abandonné au nord du Slesvig de se décider s'il voulait être incorporé comme province dans le Danemarc, ou s'il voulait appartenir à la Confédération Germanique.

Mais maintenant qu'un combat sanglant a demandé de grands sacrifices, le Gouvernement Provisoire ne peut pas se regarder justifié d'enfreindre des intérêts plus élevés et le droit national pour de simples considérations d'équité.

La séparation d'une partie du Slesvig et son incorporation avec le Danemarc serait en opposition directe avec le principe que les

Duchés forment une unité inséparable, et léserait dans le cas du décès de la ligne Royale mâle, le droit de succession de la ligne cadette de la Maison d'Oldenbourg sur les Duchés non-divisés.

Il faut ajouter à cela qu'une séparation des districts Danois du Slesvig limitrophes du Jutland serait regardée par l'autre partie des Duchés, et certainement par toute l'Allemagne, comme un sacrifice des droits et des intérêts Germaniques. Car nombre d'Allemands vivent parmi les Danois en communautés plus ou moins grandes jusqu'à la frontière la plus septentrionale du Slesvig. Les villes ont toutes une population où les Allemands dominent.

Ces Allemands ont supporté pour la cause Allemande et pour leurs opinions politiques, de grands sacrifices pendant la domination forcée des Danois, et ils s'attendent à la protection de la part de l'Allemagne.

Non-seulement les Allemands, mais encore les habitants du Slesvig qui parlent le Danois, et qui ont été fanatisés par la dernière occupation, désirent, à ce que nous savons, ne pas être incorporés au Danemarck; ils veulent rester Slesvigiers, et réunis au reste du Duché.

La protection qu'ils réclament avec droit pour leur langue et leur nationalité, pourra leur être pleinement accordée lors d'une union plus intime avec l'Allemagne, par la réception des Duchés dans la Confédération.

Dans ces circonstances, et comme en se conformant strictement à la limite des langues, les ports excellents des villes principalement Allemandes de Flensbourg et Aprenrade peuvent être bloqués à tout instant par les districts avoisinants et par l'Ile d'Alsén, l'Allemagne, et avant tout le Gouvernement Provisoire, ne peut donner son consentement d'avance à une pareille séparation.

Le Cabinet Britannique lui-même, puisqu'il regarde la question du Slesvig comme une question interne qui concerne le Duché lui-même, ne peut sans inconséquence insister sur une séparation du Duché d'après les nationalités comme base des négociations de paix.

Car une séparation du Slesvig entre le Danemarck et l'Allemagne deviendrait certainement une affaire extérieure, tandis que la question est assurément une question interne en ce qu'il s'agit d'un côté, si la succession mâle ou féminine doit avoir lieu dans le Slesvig (ce qui a déjà été décidé par le troisième point de la pacification proposée ci-dessus), et que d'un autre côté les relations des habitants parlant l'Allemand et le Danois sont mis en question, ce qui jusqu'à présent n'a pas été un objet de dispute ouverte dans le Duché. Ces relations comme affaires internes du pays, trouveront une solution satisfaisante dans la constitution à donner.

Le Gouvernement Provisoire espère pouvoir s'abandonner à l'espoir que le Gouvernement Prussien ne méconnaîtra pas le poids

des raisons alléguées ci-dessus et qu'il sera disposé à employer ses bons offices afin que la réception du Duché de Slesvig tout entier soit établi comme une des conditions fondamentales des négociations de paix.

En se permettant donc de demander les bons offices de votre Excellence en cette occasion, il a l'honneur, &c.

Le Gouvernement Provisoire,

BESELER.

REVENTLOW.

SCHMIDT.

BRUNER.

TH. OLSHAUSEN.

Le Baron Arnim.

No. 40.—The British Secretary of State for Foreign Affairs to the Prussian Minister in London.

M. LE CHEVALIER,

Foreign Office, May 19, 1848.

I WILL send a copy of your proposed note this evening to Sir H. Wynn, together with its 2 annexes, but I beg to make some remarks on those annexes.

And in the first place with regard to the proposed conditions of armistice, I would suggest some slight modifications as equitable between the parties and so entirely in accordance with the general principles upon which an armistice would be founded, that I can have little doubt that you would on behalf of the Confederation agree to them.

With regard to your remark on Article II, it would certainly be right that all prisoners of all kinds on both sides should be released, whether confined as prisoners of war or as political offenders; with regard, however, to property taken away from Schleswig by the Danish troops, no sufficient information is in the possession of Her Majesty's Government as to what circumstances that stipulation applies to; and it would seem rather to be a matter for consideration as part of a final settlement than as forming part of a preliminary armistice.

With respect to the cargoes of detained ships, they would, of course, be restored with the ships, without any other detriment than that which may have been the unavoidable result of the detention of the vessels. With regard to your remark on Articles III and IV, Her Majesty's Government have proposed that the Duchies of Schleswig and of Holstein shall be left free from occupation either by Danish or German troops, and that arrangement seems upon a full consideration of all the complicated circumstances of the case to be the one which would be the most conducive to the pacific objects which Her Majesty's Government have in view, and as it is

stated that the Island of Alsen is part of the Duchy of Schleswig, that island would according to such an arrangement be unoccupied by any Danish force.

It is obvious that the stationing in Holstein the large German force which is now in Schleswig and Jutland would be attended with a heavy burden upon the people of Holstein for which there would seem to be no adequate necessity, and Her Majesty's Government would, therefore, earnestly recommend that both Duchies should be left free from military occupation.

If you are precluded from exercising any discretion on these points until you have consulted the Diet at Frankfort, the Cabinet of Berlin, and the Provisional Government at Rendsburg, I much fear that these questions will be decided in the field, instead of by negotiation.

With regard to any Swedish troops which have entered the Danish territory, it is to be presumed that they would, of course, return home as soon as the armistice had been agreed upon.

With regard to the second annex, Sir H. Wynn shall be instructed to recommend for the consideration of the Danish Government an arrangement founded on the principle proposed in that annex, viz., that the Duchy of Schleswig shall be divided into two parts with reference to the national character of its inhabitants, and that the southern or German part shall, like Holstein, become a member of the German Confederation, and that the northern or Danish part shall then be constitutionally incorporated with the Kingdom of Denmark. It being, of course, to be understood that any German inhabitants of the Danish portion should enjoy perfect liberty to educate their children in the German language if they chose it, just as any Danish inhabitants of the German part should be free to educate their children in the Danish language if such should be their desire. It is indeed understood that in Schleswig, as in most other countries in which two different races are settled and two different languages are spoken, the two races are not locally separated by any one line which divides everything that is of one race from everything that is of the other; and that although in one part of the country one race predominates, and in the other part the other race is the most numerous, yet there are many portions of the territory where one race is partially mixed with the other. Therefore the line of demarcation, wherever it may be drawn, can only separate majority from majority, but cannot be expected to leave all the Germans on one side and all the Danes upon the other.

With regard to the mode of drawing such a line, if the principle of doing so should be agreed upon, I would suggest for the consideration of the parties, whether it might not be possible for the Danish Government and the Diet to come to an understanding upon this

matter with reference to known or ascertainable statistical facts, without going through the difficult process of a detailed appeal to all the inhabitants of each district. Such an appeal must be conducted by some executive authority, and it might not be easy for all the parties concerned to agree as to the constitution of such an authority.

I am, &c.

Le Chevalier Bunsen.

PALMERSTON.

*No. 41.—Counter Propositions for an Armistice agreed to at Malmö,
June 10, 1848.*

POUR fixer plus précisément un des principaux objets de la conversation qui vient d'avoir lieu entre son Excellence M. le Baron de Stierneld, Ministre des Affaires Etrangères de Sa Majesté le Roi de Suède et de Norvège, et M. le Baron de Manderström, Secrétaire du Cabinet de sa dite Majesté d'une part, et M. le Général d'Oxholm, Aide-de-camp Général de Sa Majesté Danoise, et le Soussigné, de l'autre, la présente note verbale a été tracée par ce dernier.

D'accord avec le Gouvernement de Sa Majesté Britannique, sur la nécessité absolue d'une suspension des hostilités entre la Confédération Germanique et le Danemarck, avant que des négociations d'une paix future puissent offrir des chances de succès, le Gouvernement Danois a fait des propositions dans ce but, qui sont connues par le Cabinet Suédois. Un mois s'est écoulé depuis, sans qu'une réponse officielle ne soit parvenue à la connaissance du Gouvernement Danois; mais par la voie d'une Puissance amie ce Gouvernement a été informé que le Baron d'Arnim vient de faire des contre-propositions dont le contenu se trouve dans l'annexe ci-jointe. Ces propositions ont dû confirmer le Gouvernement Danois dans sa conviction de l'impossibilité de conclure avec la Prusse un armistice dont les conditions ne soient pas appuyées fortement et de manière à les imposer par les 2 Puissances qui se sont prononcées en faveur du Danemarck, la Suède et la Russie. Mais de l'autre côté, animés du désir le plus sincère de contribuer en autant qu'il dépend de nous, au rétablissement de la paix, nous avons soumis les contre-propositions aux plus mûres délibérations, et nous sommes prêts à les admettre comme base d'une cessation des hostilités si la Prusse veut adhérer aux modifications que nous y avons portées, et les accepter dans la forme suivante.

1. Les hostilités par terre et par mer cesseront immédiatement après la signature.

2. Tous les prisonniers seront mis en liberté.

3. Tous les bâtiments capturés seront relâchés aussitôt qu'une indemnité pour les contributions en argent ou en nature levées par les troupes Allemandes sera allouée au Gouvernement Danois; tous les blocus cesseront.

4. Le Duché de Slesvig dans toute son étendue sera évacué par les troupes Danoises comme par celles de la Confédération Germanique. Les troupes au service du Gouvernement Provisoire et les corps francs seront désarmés.

5. L'administration civile du Duché de Holstein sera confiée à des fonctionnaires désignés au nom du Roi de Danemarck, par la Confédération Germanique, celle du Slesvig à des fonctionnaires nommés par ce Souverain, qui s'engage à choisir à cet effet des personnes, qui dans les localités respectives jouissent de la confiance publique, sous la seule réserve qu'elles n'aient point pris une part active aux événements politiques des derniers temps.

6. La Prusse ayant offert de s'engager, au nom de la Confédération, à amener le retrait des troupes Allemandes du Holstein, aussitôt que les quatre premiers points ci-dessus mentionnés aient été exécutés, et que la garantie voulue par le cinquième point ait été donnée, le Danemarck accepte cette condition, avec les modifications ci-dessus indiquées. Le Duché de Lauenbourg sera également évacué par les troupes de la Confédération.

7. Les négociations pour une conclusion de la paix s'ouvriront incessamment après que cet armistice aura été effectué; mais pour le cas que dans l'espace d'un mois les préliminaires de la paix n'eussent point été convenus, les troupes Allemandes auront le droit de reprendre les positions qu'elles occupaient avant l'armistice dans le Holstein; mais le territoire du Slesvig continuera à être évacué par les 2 parties pendant le temps qui, d'après l'avis des Puissances amies et médiatrices, sera jugé indispensable au Souverain de ce pays pour en réorganiser les institutions sur des bases libérales et avec les égards dûs aux nationalités respectives de ses habitants.

8. L'exécution fidèle des conditions ci-dessus mentionnées sera soumise à la garantie des Puissances médiatrices et amies.

Le Soussigné saisira la première occasion pour demander au Gouvernement de Sa Majesté l'Empereur de Russie de vouloir bien appuyer, par tous les moyens dont il dispose, les propositions ci-dessus indiquées, auxquels le Gouvernement Danois s'oblige à adhérer pendant l'espace de 15 jours à partir d'aujourd'hui. Il espère que la Russie s'opposera de même que la Suède à toute nouvelle invasion du Slesvig, et qu'un temps suffisant sera laissé au Roi pour réorganiser l'administration de ce Duché.

Le Soussigné exprime la confiance que dans le cas où la Russie se prête au désir du Danemarck, et se décide, en cas de refus des conditions susmentionnées, à prendre des mesures coercitives pour parvenir à une telle suspension d'hostilités, le Gouvernement de Sa Majesté le Roi de Suède et de Norvège ne tardera pas de son côté à se joindre à des mesures du même genre, et spécialement à placer le corps d'armée qui se trouve en Scanie et en Fionie sur les lieux

où ce corps d'armée pourrait servir comme réserve à l'armée Danoise opérant dans le Slesvig.

Le Soussigné informera sous le plus bref délai le Gouvernement de Sa Majesté Britannique des démarches dont il est question dans la présente, et qui n'ont d'autre but que de rendre possible l'ouverture de la médiation dont cette Puissance a bien voulu se charger.

F. M. KNUTH.

No. 42.—The Swedish Minister for Foreign Affairs to the Danish Minister for Foreign Affairs.

M. LE COMTE,

Malmö, le 11 Juin, 1848.

JE n'ai point manqué de mettre sous les yeux du Roi mon auguste maître la note que votre Excellence a bien voulu m'adresser en date de Malmö le 9 de ce mois, et c'est par ordre de Sa Majesté que j'ai l'honneur de vous transmettre, M. le Comte, la réponse suivante. L'intérêt amical que le Roi porte à la cause du Danemark ne saurait paraître douteux, et j'aime à croire que votre Excellence en trouvera une nouvelle preuve dans la communication que je viens lui faire, et par laquelle elle se convaincra que le désir de Sa Majesté de prêter son appui à une Puissance amie et voisine est toujours le même, n'étant borné que par les considérations que lui inspire sa sollicitude pour ses propres sujets, ainsi que les termes dans lesquels il s'est énoncé dès le principe à l'égard de cette affaire.

La note susmentionnée de votre Excellence comprend 2 points : le premier relatif à la demande que le Gouvernement Danois désire que celui du Roi adresse à la Cour de Prusse, à l'effet d'obtenir de sa part une garantie que l'invasion dans le Jutland ne sera dans aucun cas renouvelée, et qu'une pareille invasion serait envisagée, si elle avait lieu, comme un cas de rupture entre les Royaumes Unis et la Prusse ; le second point se rapportant au désir éprouvé par Sa Majesté le Roi de Danemark d'apprendre les vues du Gouvernement du Roi à l'égard du contenu des propositions adressées à la Grande Bretagne en sa qualité de Puissance médiatrice, dans le but d'amener une cessation des hostilités ; propositions que votre Excellence m'a fait l'honneur de me communiquer, et dont il a été fait part également à la Cour de St. Pétersbourg. Quant au premier point, le Roi s'est fait un plaisir de se rendre au désir exprimé par le Gouvernement de Sa Majesté Danoise, et le Roi expédie demain un de ses Aides-de-camp à Berlin avec des instructions au Ministre de Sa Majesté dans cette capitale, de faire au Ministère de Sa Majesté le Roi de Prusse une communication à l'effet d'exprimer que, pour le cas où le Gouvernement Prussien voulait donner à celui du Roi l'assurance formelle et positive que, dans aucun cas, et quelle que soit l'issue des engagements qui continuent malheureusement encore

dans le Slesvig, les troupes Prussiennes ou celles de la Confédération ne dépasseront la frontière du Jutland, et qu'elles n'opéreront pas de descente dans quelque une des îles Danoises, Sa Majesté s'engagerait, de son côté, à suspendre tout mouvement ultérieur de ses troupes, dans l'espoir que le différend, renfermé dans les limites des Duchés, pourrait être arrangé sans son intervention active. Il sera demandé une réponse explicite à ce sujet dans le plus bref délai possible, afin de nous mettre à même de régler nos opérations ultérieures d'après le contenu de cette communication, et en conformité avec les engagements que nous avons contractés avec le Gouvernement Danois.

Pour ce qui regarde le second point, votre Excellence connaît déjà, par nos communications verbales, que le Roi, fidèle aux termes de la déclaration que Sa Majesté a fait adresser à la Cour de Prusse, ne se croit point appelée à prendre l'initiative à l'égard de ce qui concerne le Slesvig, puisqu'une pareille initiative appartient de droit aux Puissances qui ont garanti la possession de ce pays au Danemark ; mais que pour le cas que les Puissances garantes consentaient à appuyer les propositions faites maintenant par le Gouvernement Danois pour la conclusion d'un armistice, et au moins l'une d'elles, par une co-opération effective sur mer et sur terre, le Roi n'hésiterait point à agir de concert avec cette dernière Puissance, nonseulement par son appui moral mais aussi par les moyens dont à cette époque Sa Majesté pourra disposer, pour l'acceptation de ces propositions de la part de la Prusse et de la Confédération Germanique.

J'ai communiqué ces propositions aux Ministres du Roi à Londres et à Pétersbourg, en leur prescrivant de les recommander à l'attention sérieuse des Ministères respectifs.

Je me flatte, M. le Comte, que cette réponse à votre note du 9 courant paraîtra satisfaisant au Gouvernement de Sa Majesté Danoise, et je profite, &c.

Le Comte Knuth.

STIERNELD.

No. 43.—The Prussian Minister in London to the British Secretary of State for Foreign Affairs.

MY LORD, (Translation.) *Prussian Legation, June 12, 1848.*

I HAVE the honour to inclose to your Lordship observations on the proposals for an armistice which were presented to you from Count Reventlow, as the Danish view of the question, on the 18th of last month,* and which you communicated to me verbally on the same day, and in writing on the following.

Your Lordship will remember that on the same day I had the honour of laying before you at your request, the Prussian proposal for the same purpose, together with a second proposal for the pre-

liminaries of peace, and that you, as mediator, pronounced your opinion on the subject the following day, the 19th of last month.

The note which you did me the honour of addressing to me on that day lays down the general outlines, as well of an armistice alone, as of an armistice coupled with the preliminaries of peace.

Both these proposals were accepted gratefully and without delay by the Prussian Government; and this acceptance was solemnly ratified by the High German Diet.

I must therefore protest, in the name of my Government, against the reproduction of the Danish proposals of the 18th May as basis of any further negotiation under the mediation of England. It appears to me that such a reproduction must be considered, according to the generally admitted principles of diplomacy, as a virtual rejection by Denmark, not only of the preliminaries of peace, but also of the articles of an armistice, and thus of the whole mediation of Great Britain.

Prussia and Germany lay so great a weight on the friendly offices of England that it is my duty to place this fact in full light. Germany has accepted the proposals of England, Denmark has rejected them by reproducing after 3 weeks' delay the same proposals as those on which England, as mediating Power, had given its opinion in so unequivocal a manner.

In point of form I have therefore nothing further to say on those articles. But I have thought it my duty nevertheless to examine them as to their contents, and to prove that they are in all principal points not only irreconcilable with the proposals of the mediating Power, but inadmissible in themselves. They evidently betray the intention of concluding a short armistice, not as a precursor of peace, but merely in order to gain time.

The rejection of the proposals of England for the preliminaries of peace, coupled with the reproduction of those articles, must convince the whole of Europe that the Danish Government, so far from being animated by a sincere wish for peace, meditates a new invasion of Schleswig, in order to annihilate by an incorporation with Denmark the constitutional rights of both Duchies. Not having succeeded the first time they hoped to do so the second, perhaps with foreign aid, after the German troops have returned some hundred miles to their homes for an armistice of 6 weeks, after the Duchies should have been disarmed, the Provisional Government (by which order had been maintained) deposed, the seeds of civil discord sown by the attempt of imposing upon the country another Government unable to exercise its authority, and after all those constitutional rights should have thus been left without support, for the defence of which the population have risen after years of the most irritating oppression, and only on the eve of the military execution of the plan of incorporation.

Those proposals, therefore, can and never will be accepted by Germany, which stands upon the ground of the proposals of the mediating Power, and which is pledged to defend the constitutional rights vested in Holstein to remain united with the other Duchy.

I have only to add, that nevertheless, Prussia, acting in the name and with the sanction of the whole Germanic Confederation, continues to be ready to conclude an armistice under the conditions proposed by your Lordship on the 19th May.*

I subjoin to this note the text of the articles which Prussia proposes, and which your Lordship will find conformable with the declarations made by Baron Arnim in his note to the Earl of Westmorland of the 22nd May.

I have, &c.

Viscount Palmerston, G.C.B.

BUNSEN.

(Inclosure 1.)—*Observations upon the Danish Proposals for an Armistice of May 18.*

(Translation.)

Prussian Legation, June 12, 1848.

THE Danish proposal is inadmissible in point of form and in point of matter.

A. The only admissible basis of an armistice in point of form must be the proposal of mediation made by England, accepted by Prussia, whose acceptance has been sanctioned by the Diet.

This proposal, after having been communicated and discussed, some weeks before, both at Berlin and at Copenhagen, was definitively made on the 19th of May last, after, on the previous day, the Prussian and the Danish Ministers had made and respectively delivered their own proposals to Her Britannic Majesty's Principal Secretary of State.

This English proposal, accepted since by Prussia, which acted up to its spirit and beyond its letter, and which afterwards obtained for this the sanction of the Diet, has been rejected by Denmark.

The Danish Minister, after a long delay, declared at last, on the 8th of June, that he was only authorized to reproduce the proposal for an armistice (that of the 18th of May) condemned in all its essential points by the proposal of the mediating Power of the 19th. As to the preliminaries of peace, the English proposal is rejected absolutely.

In point of form, therefore, Prussia cannot admit the Danish project, nor make it the basis for any future negotiation. To do so would be contrary to the honour of Prussia and of Germany, and even appears insulting to the English mediation.

B. As to the matter itself, the purport of the following observations is merely to show that this project, if considered even without any reference to what already has been declared and done, contains

at least 3 points irreconcilable with the only legitimate basis of negotiation, which is the English project of mediation.

The first and most essential point is that of Article IV with its corollary of Article V.

Denmark proposes to substitute for the existing Provisional Government, for the duration of the armistice, a new Provisional Government, one for Holstein, named by the Diet, one for Schleswig, named by the King of Denmark.

This proposal, therefore, first implies a division in the administration of the 2 Duchies which never has existed before. For, down to the decree of the 24th of March last, there was only one administrative authority for the 2 Duchies at Schleswig, and one judicial authority at Kiel. But, besides, a Provisional Government, named by the King of Denmark, could not maintain itself for an hour, without an overwhelming Danish force; whereas there is to be, according to the project of mediation, no military force of the 2 contending powers in Schleswig, out of which, besides, the Danish troops have been driven by the liberating Germanic army.

Articles IV and V (the latter of which establishes a gendarmerie for the support of the new Provisional Government) involve, therefore, a practical impossibility and a logical contradiction. It is scarcely necessary to add that the Diet and Parliament of Germany have formally acknowledged the existing Provisional Government; that it continues to exercise its authority in the name of the Duke; that it enjoys the confidence of the population, and that its orders are obeyed in all parts of Schleswig as well as of Holstein.

It is, therefore, in every respect impossible for Prussia to propose that such a Government shall give up its functions, and be replaced during the armistice by an authority named by the King of Denmark.

If the object of Articles IV and V should simply be to protect, during the armistice, the Danish majority in the country districts of North Schleswig, and to secure to them a perfectly free and unbiassed expression of their political opinions as to an incorporation with Denmark, it would be easy to meet such a demand in the following manner:

The 2 belligerent parties, Germany and Denmark, might send to Schleswig each a political Commissioner, and England, as mediating Power, might send a third. The common object of these Commissioners would be to see that everything respecting the 2 nationalities was carried on by the Provisional Government with perfect impartiality. The representative of the mediating Power would, besides, in case of difference of opinion, act as umpire.

According to the verbal communications made the day before yesterday by the Principal Secretary of State to the Prussian
[1850—51.]

Minister, a modification of the Danish proposal of 18th March in this respect has been made, which seems to be acceptable to the Danish Minister.

It appears that it is suggested that the existing Provisional Government might be remodelled upon the following plan:

The German Confederation would choose two or three out of the public men of the Duchies, and the King-Duke would have to name as many members also out of the public men of Schleswig and Holstein. These 4 or 6 members would then have to agree among themselves upon another Schleswig or Holstein gentleman or nobleman to be their president; or the 2 Governments would agree upon such an individual.

As things stand at present, Denmark refusing to enter into the English proposal about the preliminaries of peace, the Prussian Minister cannot entertain such a proposal for a moment. It would not be consented to by the Diet, nor could it be carried into effect in the Duchies.

The plan of the 3 Commissioners is, therefore, the only one which the Prussian Minister can propose to be added to the Articles of the English mediation, under the condition of their unreserved and immediate acceptance by the Danish Minister. As to the other plan, the Prussian Minister cannot even take it *ad referendum* for his Government.

Nor could he propose to his Government to enter into the consideration of the two other points, for they are in direct contradiction with the English proposal accepted by Prussia and sanctioned by the Diet.

The first of these is the proposal to disarm the Duchies. For that is the real sense of Article III.

The ordinary Federal contingent for Holstein is about 4,000 men; the existing force of the 2 Duchies is about 8,000, including 2 free corps of about 600 men both together. These 2 inconsiderable free corps, and 1 squadron of cavalry, are the only increase of the troops as they existed before the insurrection of the 24th of March.

If the *status quo ante* was to be restored, those troops could, therefore, scarcely be reduced in any measure worth mentioning, excepted the 600 men of the free corps. But how can it be proposed to the Duchies that the population which have risen for the defence of their liberties against the Danish army invading Schleswig for the unlawful purpose of incorporation, should weaken their means of defence at all during an armistice, evidently proposed by Denmark in order to gain time? Denmark may and will continue to arm; why should they not keep the forces they have, as it is agreed upon that the German troops are to leave the Duchies in the way stated in Baron Arnim's note to the Earl of Westmorland of the 22nd

May? Such a proposal would be as insulting to that population as to the Germans, who have liberated them, and who stand solemnly pledged to defend the indefeasible right of Holstein to have Schleswig never separated from itself. The refusal to accept any basis for peace, at the same time that the Swedes are in Fünen, and arming besides, evidently is not likely to induce the Duchies to disarm. The Prussian Minister can, therefore, not even take that proposal *ad referendum*, any more than that of Article IV. The same is self-evident as to the third contradictory demand of the Danish proposals of the 18th of May, because it is even expressly excluded by the project offered by England and accepted by Germany. This demand is that of restoring contributions raised by the German troops in money or kind. There have been no contributions raised in money by General Wrangel, so far as the Prussian Government is informed: but in case a part of the 2,000,000 of dollars demanded by that General in Jutland should have been received, the money will have been restored already, in consequence of the precise order of the Prussian Government of the 22nd of May. The Prussian Minister is not aware of any contributions having been levied in kind; only requisitions have been made for the maintenance and conveyance of the army, according to the usual practice in carrying on the war in a hostile country. Thus there is no object for an indemnity; but, on the contrary, the Danes have, since the evacuation of Jutland, condemned and sold the cargoes of 5 or 6 German ships, under the pretext of retaliation for contributions raised by the Germans in Jutland. This seems to be acting in defiance of the English mediation, prejudging the whole question, and raising a new difficulty for the mediating Power.

(*Inclosure 2.*)—*Danish Project of Armistice.*

1°. Les hostilités sur terre et sur mer cesseront immédiatement et entièrement.

2°. Tous les prisonniers de guerre et politiques seront mis en liberté.

3°. Tous les navires qui ont été amenés et sur lesquels on a mis l'embargo depuis le commencement de la guerre, seront rendus immédiatement avec leurs cargaisons et tous les blocus cesseront.

4°. Le Duché de Slesvig, y compris les îles, sera évacué dans toute son étendue par les troupes de la Confédération et par celles du Danemarck.

5°. Le Gouvernement Provisoire continuera de diriger les affaires du pays au nom de Sa Majesté le Roi de Danemarck jusqu'à ce que la question litigieuse soit réglée définitivement. Le pays sera mis à l'abri de toute agression de la part du Danemarck par la garantie de l'Angleterre.

6°. La Prusse engagera la Confédération Germanique à retirer les troupes Fédérales du Holstein aussitôt que les points 1—4 auront été exécutés et dès que la sécurité prévue par l'Article V aura été donnée aux 2 Duchés.

7°. Un espace de 4 mois sera fixé pour l'acceptation des préliminaires d'une Convention définitive. Si les premiers 3 mois devaient s'écouler sans que ce résultat eût été amené, les 2 parties auront le droit de reprendre dans le cours du 4me mois, les positions qu'elles occupaient avant la conclusion de l'armistice.

No. 44.—The British Secretary of State for Foreign Affairs to the Danish and Prussian Ministers in London.

SIR,

Foreign Office, June 23, 1848.

HER Majesty's Government have highly appreciated the confidence which has been manifested towards the British Crown by the consent of Denmark on the one hand and of Prussia and the German Diet on the other, to accept the good offices of Great Britain as mediator in a negotiation for the settlement of the differences which have arisen upon the subject of the Duchy of Schleswig; and Her Majesty's Government have been fully sensible of the vast importance of the possible events which might result out of those differences, if the negotiations set on foot for a friendly arrangement of them should unfortunately fail. Her Majesty's Government have therefore laboured assiduously, by written and by verbal communications, to bring the 2 parties to agree upon conditions to which both of them might be willing to consent.

The first idea of Her Majesty's Government was, that an armistice might at once be concluded, and that the terms of a final arrangement might be more easily discussed and settled when hostilities had ceased. But the Prussian Government, as the organ of the Confederation, expressed a repugnance to this course of proceeding, and strongly urged the expediency of settling conjointly with the armistice at least the general principle of a final arrangement. An endeavour was accordingly made to accomplish this object, but that endeavour did not succeed; and in the meantime the hostilities began to spread over a wider range and to assume a more serious character.

Her Majesty's Government then again pressed the conclusion of an immediate armistice, suggesting that the terms of a final arrangement might be considered and determined afterwards. But the German troops having withdrawn from Jutland, and the Danish naval forces having relaxed some of the blockades which they established, an opportunity seemed again to present itself for a renewed endeavour to combine with the terms of an armistice an agreement as to the general principle upon which a final arrangement might be concluded.

Her Majesty's Government accordingly invited the 2 parties to communicate their respective views of that matter, in order that if those views should be coincident, an arrangement might at once be concluded.

The communications which Her Majesty's Government have received from the 2 parties in reply do not indeed afford the means of an immediate settlement, but nevertheless they have supplied materials out of which Her Majesty's Government hope that they have been enabled to frame propositions which may so far meet the views of each party as to be acceptable to both.

I beg accordingly to submit for your consideration and for that of the Prussian Government, the following Articles, which Her Majesty's Government would propose to the 2 parties for an armistice, accompanied by an agreement as to the general principle upon which the Schleswig question should be settled.

Proposed Articles.

I. Hostilities between the Danish and German forces shall cease by sea and by land, as soon after the signature of these Articles as the necessary orders can be given. All blockades will at the same time be raised.

II. All prisoners, civil as well as military, shall on both sides be set free, and no person shall on either side be proceeded against, or be in any way molested, for any part taken in recent political events in Schleswig or in Holstein.

III. The Danes having used their belligerent right of seizing and detaining German merchant-vessels, and the German troops having, as is occasionally practised in war, levied in Jutland contributions in money and requisitions in kind, these mutual exercises of belligerent rights shall be set the one against the other; and if, upon a comparison of accounts, it shall appear that either party has in this manner levied or seized a greater amount of value than has been levied or seized by the other, the excess of value so levied or seized shall be restored to the other party.

IV. Immediately on the conclusion of this armistice the troops of both parties shall evacuate the whole of the Duchy of Schleswig, the Island of Alsen being deemed and considered as part of that duchy; the Danish troops retiring to the north, and the German troops to the south. Any free corps which may have been raised in Schleswig shall be disbanded, the men and officers being sent to their homes; and any regular Schleswig troops which may have been serving either with the Danish or with the German troops, shall either retire out of the Duchy with the troops with which they have been serving, or be sent to their homes on furlough.

V. It being necessary to provide for the temporary administration of the Duchies of Schleswig and Holstein, during the interval which may elapse before the final settlement of all matters in dispute shall be so completely adjusted as to allow of the entire re-establishment of the regular order of administration in both Duchies; it is agreed that a temporary Administrative Commission shall be appointed to conduct the affairs of the 2 Duchies, in the name and on behalf of the King-Duke. This Commission shall consist of 7 members, 3 whereof to be named by the King-Duke, 3 by the Diet, and the seventh (who is to act as President) in a manner to be hereafter agreed upon.

This Council is simply to carry on the usual administration of the Duchies, and is not to be invested with any legislative power.

As the appointment of this Commission is intended to be a step towards conciliation and peace, and is meant for the purpose of allaying those party animosities to which recent events have necessarily given birth, the persons who are to be named as members of this Commission are to be persons who have not taken any active part, one way or the other, in the late political transactions in the 2 Duchies.

VI. The further condition of the Duchy of Schleswig shall be settled upon one or other of the 2 following plans, according to the choice of the King-Duke:

First, the Duchy of Schleswig might be divided into 2 parts with reference to the German or Danish nationality of its inhabitants, the southern and German part being to be called the Southern Duchy, the northern or Danish part being to be called the Northern Duchy. The King would then become a member of the German Confederation in his capacity of Duke of Southern Schleswig, as well as in his capacity of Duke of Holstein, and Southern Schleswig would, like Holstein, form part of the territory of the German Confederation, and the sovereignty of Southern Schleswig would follow the same line of succession as the sovereignty of Holstein. On the other hand, Northern Schleswig would be attached by its law of succession to the Crown of Denmark, and the sovereignty of that Duchy would be inseparably united with the Danish Crown.

Secondly, if this arrangement should not be thought expedient, the Duchy of Schleswig might remain entire and undivided such as it is now; it might continue to be administered as it has been, by an administration established for Schleswig and Holstein jointly; and there should also be provincial states in which the representatives of the 2 Duchies would be assembled together in their proper respective proportions.

In this case the King of Denmark would remain as he now is, a member of the Germanic Confederation in his capacity of Duke of

Holstein, but he would not become member of the Confederation in his capacity of Duke of Schleswig.

No change in this case would be made in the law of succession in Schleswig.

Such are the conditions of the arrangement which the British Government proposes for the consideration of the Danish and German Governments.

These conditions may not perhaps entirely realize the wishes of either party, nor contain exactly the stipulations which each party may think itself entitled to demand. But in a case like the present a mediating Power, anxious for the restoration of peace, and having no particular interest of its own in the matter in dispute, may fairly appeal to the generous feelings and enlightened judgment of both parties, may entreat each party to abate somewhat from those conditions which it may conceive itself justly entitled to enforce at the point of the sword, if by the sword the matter was to be finally decided; and may recommend concessions in the spirit of conciliation and for the love of peace.

However just each party may think its own pretensions, and however confident it may be in the amplitude and efficiency of the resources on which it may reckon for the maintenance and assertion of those pretensions, each party should nevertheless remember that the convictions of its adversary may be as strong and as sincere as its own; and that though the commencement of war is simple and ready, the issue of war is concealed in the doubtful darkness of the future, and is hid from the foresight of man.

I have then to request of you to transmit these proposals for the consideration of your Government, and I trust you will allow me to entreat that you will also support them by your own recommendation.

I am, &c.

Count Reventlow.

PALMERSTON.

Chevalier Bunsen.

No. 45.—The Prussian Minister in London to the British Secretary of State for Foreign Affairs.

MY LORD,

Prussian Legation, June 24, 1848.

I HAVE had the honour of receiving last night the note of yesterday, which you have addressed to me, and I shall not fail to forward it without delay to Her Majesty's Government.

But in order to enable the Prussian and the Federal Government to form immediately a clear and decided opinion on the proposals of a final settlement contained in your Lordship's note, I lose no time in directing your attention to certain points in the Articles,

which appear to me somewhat obscure, and with regard to which I can foresee that the Prussian and Federal Government will find themselves in want of immediate further explanation.

Before I enter into these observations, I beg to repeat, with respect to what is said in the first part of your note, on the history of the mediation offered by Great Britain, and accepted by both parties, that on the ground of some verbal communications from you, the Prussian and Danish statements of the respective views of their Governments were made at your request on the 18th May, and that you having given your opinion as mediator on the 19th, Prussia accepted without delay, and Denmark rejected, after considerable delay, the conditions both of the armistice alone and of the armistice coupled with the preliminaries of peace.

As to the Articles now proposed, I understood, first, as to Article III, that it was your Lordship's intention to recognize the principle on which both M. Banks and myself thought it our duty to insist in the conference of last Monday, viz., that the captured ships and their cargoes should be restored forthwith at the same time with the release of the prisoners. I certainly understood, also, that it was your Lordship's intention to propose, as your mediating opinion, that contributions in kind (for there have been none in money), and military requisitions as pretended by the Danes to have been levied in Jutland by the order of General Wrangel, should be compensated to Denmark. I thereupon presented to you some observations as to the difficulty of defining and determining the amount of such contributions or requisitions, and afterwards presented to you those observations in writing, together with my note of the 19th of this month.

I will only add, that I hope none of those cargoes (many of which are insured in England) will be found to have been sold at Copenhagen. Such a proceeding could certainly not be approved by the mediating Power, as prejudging the peaceable settlement of the affair. If such should have been the case, it seems equitable that the amount to be placed on that side of the account should be determined by the invoice, and not by the price which the cargo may have fetched; for otherwise the damage uselessly caused by an unwarranted proceeding would unjustly fall on the suffering party. At all events, here are principles to be discussed and accounts to be settled: an operation which requires time, and probably arbitration, both as to the nature of the requisitions which may be placed on the account, and as to the amount to be fixed. At present it seems to me only to be essential that the restoration of the ships and cargoes is not to be made dependent either upon the principle which of those contributions or requisitions are to be put on the account, or upon the sum to be fixed for each of them. Such a condition might

be fatal to any arrangement, and would be in direct contradiction with the opinion given in your note of the 19th May, in which you say, "with respect to the cargoes of detained ships, they would of course be restored with the ships, without any other detriment than that which may have been the unavoidable results of the detention of the vessels."

This principle, then, I consider to be maintained in your note of yesterday.

I must now trouble your Lordship with some observations as to Article V; and here I have to express my doubts as to the possibility, in the present state of the country, of establishing a Provisional Administration in the place of the present Provisional Government installed by the Assembly of the States at Rendsburg. It is unnecessary that I should repeat here what I have said on this subject in my note and memoir of the 12th* of this month, and I will therefore only add, that the uncertainty left by that Article as to the choice of a President seems to me to increase rather than to diminish the difficulty. I understood, in the conference of last Monday, that it was your Lordship's intention to propose that no arrangement should be required for a new Provisional Government, in case the new plan for a final settlement proposed by you was adopted; and I observed on that occasion, that this circumstance seemed to me to go very far towards the recommendation of that second proposal.

Respecting the first of the 2 proposals for a final settlement contained in Article VI, namely, that which you designate briefly as a division of the Duchy of Schleswig, I feel it only my duty here to repeat, that Germany cannot give up the principle declared on all occasions, that no separation of any part of Schleswig can ever be thought of, unless the population in the northern districts themselves declare, by an open and unbiassed manifestation of their intention to that effect, that they will be separated from the rest of the duchy.

As to the second of those proposals, I understand that part of Article VI as I understood your Lordship's verbal exposition of this point in the conference on Monday last. I may condense what I said on that occasion, and what seemed to you a correct statement of your opinion, in the following sentence:

Holstein and Schleswig shall possess, as a guarantee both of their independence from Denmark and of their own perpetual inseparability, not only a joint administration, but also for ever one and the same joint political Assembly; and Schleswig consequently will have no more than Holstein any constitutional connexion with Denmark, and take no part in, nor be bound by, the acts of States-General or Parliament which may now or hereafter be established in

Denmark, all laws and decrees to the contrary ceasing to have any effect whatever.

I fully believe that the words used by your Lordship are to the same effect. But as you say that in the case of the second plan being preferred, no change would be made in the law of succession in Schleswig, about which law the Danish Government holds a doctrine diametrically opposite to that maintained by the Duchies and by Germany, there might be an uncertainty as to the meaning of this phrase, although the context seems clearly to show that the interpretation adopted by me is the only true one. In the same way, as you designate the political assembly to be established for the 2 Duchies by the words "Provincial States," an expression which has been used by the Danish Government in January and in March last, as implying that Schleswig, having received such Provincial States, is to send deputies to the States-General to be established for the whole Danish Monarchy; it seemed to me also for this reason not to be superfluous, in order to avoid from the beginning the possibility of disagreeable misconceptions, and of doubts and delays without end, to state expressly in what sense I have understood your new political combination, both in the conference and in your note.

For the rest I must refer the whole of your present proposal to His Majesty's Government, my instructions not going further than to the acceptance and extension of the first project of mediation contained in your note of the 19th May.

But I am sure to express the sentiments of His Majesty's Government and to anticipate its commands, if I conclude these observations by saying that the assiduous and friendly care bestowed by your Lordship upon this affair will ever be gratefully acknowledged by Germany, flowing as it does out of a sincere wish for the establishment of peace on equitable terms, honourable for both parties; and by expressing my firm conviction that Germany will be second to none in fully appreciating those noble dispositions, and in responding, in the true spirit of conciliation, to the solemn appeal you make to her generous feelings and enlightened judgment.

I have, &c.

Viscount Palmerston, G.C.B.

BUNSEN.

No. 46.—Project of Armistice agreed upon at Malmö between the Danish and Prussian Negotiators.

July, 1848.

LES Soussignés, après avoir échangé les pleins-pouvoirs dont ils ont été munis par leurs Souverains respectifs, Sa Majesté le Roi de Danemarck et Sa Majesté le Roi de Prusse, agissant en son nom,

ainsi qu'au nom et de la part de la Confédération Germanique, dans le but de mettre fin, par un armistice, aux hostilités entre les armées placées sous leurs ordres respectifs, sont convenus des Articles suivans :

ART. I. A dater de ce jour il y aura une suspension complète des hostilités par terre et par mer, pendant 3 mois, avec un dédit d'un mois pour chacune des 2 Parties Contractantes ; s'il n'y a pas de dédit de part ou d'autre, la prolongation de l'armistice est regardée comme consentie par les 2 parties.

II. Si l'armistice en était dédit par l'une des parties, les armées respectives pourront reprendre les positions qu'elles occupaient entre le 20 et le 24 Juin dernier, et qui sont marqués sur la carte jointe à la présente Convention.

III. Les blocus établis par les forces navales de Sa Majesté Danoise cesseront, et des ordres à cet effet seront immédiatement expédiés aux commandants des bâtimens de guerre Danois.

IV. Tous les prisonniers de guerre et politiques seront mis en liberté sans délai ni restriction.

V. Tous les navires qui ont été amenés, et sur lesquels on a mis l'embargo depuis le commencement de la guerre, seront rendus avec leurs cargaisons dans l'espace de 10 jours après la signature de l'armistice, espace de temps jugée nécessaire d'une part, pour mettre ces bâtimens en état de prendre la mer, et de l'autre pour opérer l'évacuation des Duchés.

La Prusse admet l'indemnité réclamée par le Danemarc pour les réquisitions prélevées en nature en Jutland, et le Danemarc s'engage à restituer la valeur des cargaisons qui ont été vendues et qui ne pourraient pas être restituées en nature.

VI. Les 2 Duchés ainsi que les îles qui en dépendent seront incessamment évacués dans toute leur étendue par les troupes Danoises et par celles de la Confédération Germanique. Toutefois le Roi de Danemarc pourra continuer à faire garder par 400 hommes, les hôpitaux et autres dépôts et établissemens militaires qui se trouvent dans l'île d'Alsen. D'autre part, un nombre égal des troupes de la Confédération pourra dans un but semblable rester dans la ville d'Altona, ainsi que sur les autres points où se trouvent des hôpitaux et les établissemens militaires.

VII. Les 2 Parties Contractantes désirant aussi promptement que possible ramener l'ordre et la tranquillité dans les Duchés, sont convenus que le mode d'administration dans les Duchés en vigueur avant les événemens du mois de Mars, sera rétabli pour la durée de l'armistice. L'administration collective des 2 Duchés sera composée de 5 membres à prendre parmi les notables de ces Duchés qui jouissent de l'estime et de la considération générale, et qui administreront les Duchés d'après les lois et ordonnances existantes au nom du Roi de Danemarc en sa qualité de Duc de Slesvig et de Holstein, et avec

la même autorité, à l'exception du pouvoir législatif. Deux de ces membres seront choisis par le Roi de Danemarque pour le Duché de Slesvig, et 2 par le Roi de Prusse au nom de la Confédération Germanique pour le Duché de Holstein; ces 4 membres en choisiront un cinquième, qui remplira les fonctions de Président de l'administration collective des 2 Duchés, et si l'entente sur ce choix était impossible, la Grande Bretagne, en qualité de Pouvoir médiatrice, sera invitée à désigner un cinquième membre, toujours parmi les habitants d'un des Duchés. Il est convenu que ni les membres de l'administration en fonction avant le 17 Mars, ni ceux qui ont composé le Gouvernement depuis cette époque ne pourront faire partie de cette nouvelle administration ("Regierung"), laquelle entrera en fonctions aussitôt que possible, et au plus tard 15 jours après la signature de la présente Convention.

VIII. Pendant la durée de l'armistice, pourront seules rester dans les Duchés, pour être à la disposition de l'autorité établie conformément à l'article précédent, les troupes suivantes :

a. Dans le Duché de Holstein le contingent Fédéral de cette province réduit au nombre ordinaire en temps de paix ;

b. Dans le Duché de Slesvig les cadres des troupes dont la conscription se fait dans le Slesvig. Ces troupes n'excéderont pas le nombre ordinaire en temps de paix, et auront leurs cantonnements aussi près de leurs domiciles que possible.

Le reste des troupes Slesvicoises et Holsteinoises, ainsi que les corps francs formés par les natifs des 2 Duchés, seront licenciés, et les autres corps francs, Danois ou Allemands, évacueront entièrement le Slesvig et le Holstein.

L'exécution de cet Article est confiée à des Commissaires Militaires nommés *ad hoc* par les Parties Contractantes, et qui s'entendront à cet égard.

IX. Le Roi de Danemarque, et le Roi de Prusse au nom de la Confédération Germanique, auront la faculté de désigner chacun de leur côté, un Commissaire pour résider dans les Duchés pendant la durée de l'armistice pour veiller officieusement à l'exécution des stipulations précédentes, ainsi qu'à l'application impartiale des lois en faveur des habitants, tant Danois qu'Allemands.

X. Le Duché de Lauenbourg sera rétabli dans la même situation où il se trouvait avant l'entrée des troupes de la Confédération.

XI. Les Parties Contractantes réclameront la garantie de la Grande Bretagne pour la stricte exécution des Articles de la présente Convention d'armistice.

XII. Il est expressément entendu que les Articles de cette Convention ne préjugeront pas les conditions de la paix définitive, et que ni le Danemarque ni la Confédération n'abandonnent les prétentions et les droits qu'ils ont fait valoir respectivement.

No. 47.—The Swedish Minister for Foreign Affairs to the Swedish Minister at Berlin.

(Traduction.)

Malmö, le 23 Juillet, 1848.

J'AI eu l'honneur de recevoir avant-hier vos dépêches du 19 courant. C'était avec une véritable satisfaction que je pris connaissance de vos entretiens avec M. d'Auerswald et avec M. le Comte de Bülow, et des assurances positives qui vous avaient été données que le Gouvernement Prussien n'insisterait pas sur d'autres modifications que celles qui seraient indispensables pour prévenir des complications capables de troubler la suspension d'armes ; et qu'une fois l'armistice signé, le Gouvernement Prussien donnerait au Pouvoir Central les explications sur les motifs qui avaient déterminé ce Gouvernement à donner l'ordre au Général Wrangel de conclure.

J'étais donc fondé à croire que par suite de ces ordres nous recevions bientôt la nouvelle de la conclusion de l'armistice, lorsque quelques heures plus tard, le Baron de Lagerheim, revenu du quartier-général Danois, où par ordre du Roi il s'était rendu de même que M. le Ministre d'Angleterre à la Cour de Copenhague, m'informa que non seulement le Général Wrangel mettait en avant des prétentions excessivement onéreuses pour le Danemarc, mais encore qu'il se refusait positivement à signer à moins qu'il ne fût inséré dans la Convention, qu'elle devait être soumise à la ratification de Son Altesse Impériale et Royale le Reichsverweser de l'Allemagne.

Cette dernière clause a paru au Danemarc absolument inadmissible, et nous ne pouvons que partager son opinion à cet égard. C'est la Prusse qui a ouvert les négociations ; c'est sur son invitation que notre médiation a été offerte ; c'est avec cette Puissance que nous sommes convenus des conditions auxquelles nous avons décidé Sa Majesté Danoise à consentir ; c'est donc avec cette même Puissance que le Danemarc traite, et avec elle-seule que la Convention doit être conclue. Jamais on n'a signé un Traité avec une Puissance, en le soumettant à la ratification d'une autre qui n'a point pris part à la négociation. Le Reichsverweser de l'Allemagne ne s'est point encore annoncé en cette qualité ; il n'a point encore été reconnu par les Puissances de l'Europe ; et quelle que soit la haute importance de ses fonctions, auxquelles seront sans doute accordé le respect et les égards dûs au chef d'une grande et illustre nation, dès qu'elles auront été notifiées et régularisées, nous ne pensons point qu'on puisse faire au Danemarc un reproche de point admettre le Reichsverweser comme partie dans une Convention à laquelle il n'a d'aucune façon participé. Son assentiment à la Convention, s'il est réellement indispensable, nous semble constituer indubitablement une affaire Allemande purement intérieure, et qui devra former l'objet d'une entente entre la Prusse et le Pouvoir Central, mais à laquelle le Danemarc a le droit de rester parfaitement étranger.

Ce principe une fois admis, et il nous semble difficile d'en contester la justice, nous sommes persuadés que le Gouvernement Prussien ne pourra approuver les prétentions mises en avant par le Général Wrangel à cet égard. Nous avons trop de foi dans la valeur de ses promesses pour pouvoir douter que malgré les difficultés de la situation actuelle, il ne soit décidé à enforcer les conditions de la Convention qu'une fois il avait déclaré acceptée. Nous ne voulons point lui demander ce qui peut-être serait impossible d'obtenir, mais nous nous croyons fondés à compter sur ses dispositions à adopter les mesures qui sont de sa compétence. Si la Prusse ne peut malgré ses efforts et la certitude qu'elle en avait elle-même exprimée, mettre à exécution la Convention pour ce qui regarde les autres membres de la Confédération, nous aimons à croire qu'elle prendra au moins à tâche de l'exécuter en ce qui la concerne spécialement. C'est dans ce but que je vous engage, M. le Baron, à faire au Gouvernement Prussien l'ouverture suivante.

Nous désirons que ce Gouvernement remplisse les conditions de la Convention d'Armistice acceptée par lui, en tout ce qui regarde spécialement la Prusse; qu'ainsi les troupes Prussiennes soient retirées des Duchés, et que les bons offices de la Prusse soient accordés à l'acceptation des Articles de la Convention de la part de la Confédération. Si, comme nous l'espérons, le Gouvernement Prussien entrait dans cette voie d'accommodement, le Gouvernement du Roi croirait avec une parfaite certitude pouvoir prendre sur lui de persuader le Gouvernement Danois à lever les blocus des ports Prussiens, à cesser les prises des bâtimens de cette nation, et même de restituer les bâtimens Prussiens capturés, aussitôt que les troupes de Sa Majesté Prussienne fussent sortis des Duchés. De cette manière la Prusse et le Danemarc auraient également rempli les conditions aux quelles ces Puissances s'étaient engagées, et la bonne foi sur laquelle ont reposé les négociations conduites par l'intermédiaire du Gouvernement du Roi, resterait acquise aux mesures de toutes les parties. Ce serait là un avantage solide, de nature à compenser bien des difficultés.

Je vous engage, M. le Baron, à ne point perdre de temps pour faire cette proposition au Gouvernement de Sa Majesté le Roi de Prusse, dont vous me ferez connaître la réponse. Vous êtes autorisé à remettre confidentiellement copie de la présente à M. le Ministre des Affaires Etrangères, qui jugera peut-être suffisant de vous faire connaître la décision de son Gouvernement au moyen d'une note verbale.

Le Gouvernement de Sa Majesté le Roi de Prusse ne saurait nous refuser la justice d'admettre que nous épuisons toutes les voies de la conciliation afin d'arriver à une solution pacifique; nous nous flattons encore d'y réussir. Mais si contre notre attente les efforts que nous

faisons restaient infructueux, si la Prusse ne se voyait pas en état de remplir ses engagements, alors nous nous devons à nous-mêmes de justifier aux yeux du monde entier, la part que sur l'invitation de la Prusse nous avons prise à ces transactions, et il ne serait point de notre faute si l'exposé que nous ferions de la marche et des incidents de cette question, amenait des explications que bien certainement nous désirerions éviter.

Agréez, &c.

Le Baron d'Ohsson.

STIERNELD.

No. 48.—The Commander-in-chief of the Danish troops in Schleswig to the Commander-in-chief of the Prussian troops in Holstein.

M. LE GENERAL, (Traduction.) à Veile, le 24 Juillet, 1848.

J'AI eu l'honneur de prévenir votre Excellence, en date du 12 du courant, que j'avais reçu du Roi mon auguste maître, l'autorisation de signer avec elle un armistice sur les bases convenues réciproquement à Malmö sous les auspices de la Suède. Ces bases avaient été acceptées et confirmées, d'une part par Sa Majesté Danoise, et d'autre part par Sa Majesté le Roi de Prusse. Ainsi que la Cour de Berlin en a fait parvenir l'assurance expresse à Sa Majesté le Roi de Suède et de Norvège, votre Excellence a bien voulu m'informer, en date du 13 du courant, qu'elle avait de même reçu de Sa Majesté le Roi de Prusse les pleins-pouvoirs nécessaires pour négocier et signer un armistice. J'étais donc bien en droit de supposer que l'armistice serait signé sur les bases convenues.

Mais lors des conférences préparatoires qui ont eu lieu à Bellevue, près de Kolding, vous avez jugé à propos, M. le Général, de faire mettre en avant des conditions bien peu en harmonie avec les bases arrêtées à Malmö, et de substituer aux conditions qui pouvaient avoir quelque prix pour le Danemark, d'autres d'une nature infiniment moins favorables; je n'ai cependant point cru devoir prendre sur moi de rompre cette négociation quoiqu'elle changeât de face d'une manière si étrange, et j'en ai référé à mon Gouvernement. Celui-ci m'a autorisé de proposer à votre Excellence par l'organe de M. de Reedtz, plusieurs modifications, dans l'espoir d'amener un accommodement, mais dans les conférences du 19 du courant, MM. le Comte de Pourtalès, le Comte d'Oriola, et le Comte de Munster, agissant au nom de votre Excellence, ont formulé en présence de MM. les Ministres de la Grande Bretagne, et de la Suède et de Norvège, près le Roi, à peu près les mêmes demandes que dans les conférences précédentes, avec quelques changemens qui ne les rendaient pas plus acceptables aux yeux du Gouvernement Danois. D'ailleurs, votre Excellence voulait encore soumettre cette arrangement à une nouvelle ratification dont le défaut suffirait pour détruire tout ce dont on était convenu.

Le Gouvernement du Roi a fait tout ce qui dépend de lui pour mettre fin d'une manière honorable aux hostilités, mais il ne saurait se résoudre à regarder comme sans valeur l'engagement que Sa Majesté le Roi de Prusse a pris vis-à-vis de la Suède, et à penser que ce Souverain qui a commencé la lutte actuelle en devançant les décrets de la Diète Germanique, ne serait plus le maître de la faire cesser, et cela malgré les pouvoirs dont il a été investi à cet effet.

Si votre Excellence en juge autrement, c'est bien elle qui en prend la responsabilité, et qui en appelle de nouveau au sort des armes; mais de mon côté je dois la prévenir que je suis encore prêt à signer sur-le-champ dans le courant de la journée (avant l'expiration de la cessation des hostilités), l'armistice sur les bases convenues à Malmö.

J'ai, &c.

Le Général Wrangel.

HEDEMANN.

No. 49.—The Commander-in-chief of the Prussian troops in Holstein to the Commander-in-chief of the Danish troops in Schleswig.

M. LE GENERAL, (Traduction.) *Hadersleben, le 24 Juillet, 1848.*

COMME d'après la lettre que votre Excellence m'a fait l'honneur de m'adresser ce matin, je vois que son intention est de rompre les négociations entamées, en rejetant non seulement toutes les modifications que j'ai cru devoir proposer au projet primitif de Malmö, mais encore la clause par laquelle la ratification de l'armistice est réservée à Son Altesse Impériale le Lieutenant-Général de l'Empire, j'ai l'honneur de la prévenir que M. le Comte de Pourtalès quitte mon quartier-général aujourd'hui, et que les hostilités recommenceront dès ce soir à 10 heures.

Agréez, &c.

Le Général Hedemann.

WRANGEL.

No. 50.—The British Secretary of State for Foreign Affairs to the British Minister at Berlin.

MY LORD,

Foreign Office, July 25, 1848.

I HEREWITH transmit to your Lordship for your information, copies of 2 despatches which have been addressed by Baron Stierneld to Baron Rehausen, and which have been communicated to me by the latter, upon the subject of the refusal of General Wrangel to sign and give effect to the armistice which had been drawn up at Malmö.

I have to desire that your Lordship will state to the Prussian Minister that Her Majesty's Government conceive that the Govern-

ment of Prussia by having sent Count Pourtalès to Malmö for the purpose of negotiating an armistice with the Plenipotentiaries of Sweden and Denmark, by having made alterations in that armistice when it was submitted to them for approval, and by having then sent it to General Wrangel for signature, have morally bound themselves to cause its stipulations to be fully carried into effect.

I am, &c.

The Earl of Westmorland.

PALMERSTON.

No. 51.—The British Secretary of State for Foreign Affairs to the British Minister at Berlin.

MY LORD,

Foreign Office, July 25, 1848.

WITH reference to your Lordship's despatch of the 17th instant, reporting the difficulties which have arisen in the settlement of the conditions of the proposed armistice between the contending parties in Schleswig-Holstein, I have to express the earnest hope of Her Majesty's Government that the Prussian Government will find itself able to settle this matter promptly and satisfactorily, and in a manner consistent with the arrangement which the Prussian Government had already agreed to; for, if not, the British Government may find itself obliged to withdraw altogether from any further concern in negotiations in which so many difficulties are constantly started on one side, while so much conciliation has of late, at least, been evinced by the other; because unless there is an equal desire on both sides to come to a fair and satisfactory arrangement, the office of mediator is one which it does not befit the Government of Great Britain to continue to undertake.

I have, &c.

The Earl of Westmorland.

PALMERSTON.

No. 52.—Proclamation of the Provisional Government of Schleswig-Holstein.

FELLOW CITIZENS! (Translation.) *Rendsburg, July 25, 1848.*

THE negotiations which were to lead the way to a friendly settlement with Denmark are broken up. Hostilities have again commenced: arms must now decide.

Germany has shown that she desired peace. The most reasonable demands have been refused by Denmark. Dishonourable conditions have been rejected by the will of Germany, by the firmness of the brave General at the head of the German army.

Schleswig-Holsteiners! We owe to our German fatherland lasting gratitude. Prussia and the 10th army corps are under arms for us. All the German sea-ports have submitted during months to great sacrifices for our cause. Let us show ourselves worthy of this sympathy.

Only unity and action lead speedily to the goal. Our young soldiers hasten joyfully to their banners, that we, who at the commencement of the artifices of the Danes were unprepared, may join our German brothers. We will all be ready to answer every demand that the energetic continuance of the war may require.

Fellow citizens, we cannot doubt of the final success of our joint cause. Far be it from us to invade the rights of others; but what is ours, and descended to us from our forefathers as a sacred bequest, that we will preserve and maintain. The Duchies belong inseparably to our German fatherland. For our country we have taken up arms, for it the blood of our German brothers has been shed. With them we will be united to conquer or to die.

The Provisional Government,

BESELER.

F. REVENTLOW.

J. BREMER.

TH. OLSHAUSEN.

*No. 53.—Le Ministre des Affaires Etrangères à Copenhague aux
Envoyés Danois à l'étranger.*

MONSIEUR,

Copenhague, le 12 Août, 1848.

Vous devez savoir que la Convention relative à un armistice, conclu le 2 Juillet entre le Danemark d'une part et par la Prusse d'autre part, au nom de l'Allemagne, n'a pu être mise à exécution, par la raison que le Général Prussien a refusé de signer cette Convention, à laquelle sa Cour avait déjà adhéré. La presse périodique Allemande, ainsi que les Ministres du pouvoir central (ces derniers dans une séance de l'Assemblée Nationale à Francfort), se sont efforcés d'expliquer ce refus comme si c'était le Danemark qui n'avait pas voulu traiter avec le pouvoir central. C'est ainsi qu'on a voulu donner en Allemagne à cette affaire un caractère offensant, pour exciter de plus en plus contre nous les passions déjà déchaînées. La vérité est que le Danemark n'a pu se décider à consentir à des changements qu'on voulait faire à une Convention déjà conclue, et notamment à ceux proposés par le Général Wrangel. Le Gouvernement Danois n'a pu accorder non plus au pouvoir central la faculté de changer sans compensation les clauses de cette Convention. Le Danemark aurait même hésité à céder un pareil droit à "une Puissance amie," comme, par exemple, à l'Autriche. Une telle conduite ne contient assurément pas une offense contre qui que ce soit, pas même contre le pouvoir central, notre ennemi. Il serait évidemment peu juste de soutenir que le Danemark doit renoncer à un avantage plus ou moins essentiel qui lui avait été assuré par une Convention déjà conclue, et cela sans recevoir, comme compensation, d'autres concessions équivalentes. Pour l'honneur de la Prusse et

de sa Puissance, le Danemark désire voir donner une garantie suffisante pour l'accomplissement des obligations qu'il s'est imposées en cette occasion. Il n'appartient point au Gouvernement Danois de rechercher de quelle manière la Prusse peut s'arranger avec les autres Etats, aux noms desquels elle a, de prime abord, fait connaître son intention d'entrer en négociations avec nous.

Les notes échangées entre les Généraux Hedemann et Wrangel, lors de la rupture des négociations, et dont la copie est ci-jointe, serviront de pièces justificatives et expliqueront les observations contenues dans ma présente missive. Je vous invite à les porter à la connaissance du Gouvernement près lequel vous êtes accrédité.

J'ai, &c.

F. M. KNUTH.

M. v. Auerswald.

No. 54.—Instructions from the Regent of the German Empire to the Under-Secretary of State for Foreign Affairs of the German Empire.

(Translation.)

August, 1848.

THE Prussian Government having, under particular existing circumstances, been empowered by me in the name of the Central Power of Germany, to bring to a conclusion the negotiations relating to an armistice with Denmark on the basis of the draft made at Bellevue on the 19th July, with the following additional conditions:

1. That the members to be elected for the formation of a new common Government for the Duchies of Holstein and Schleswig be expressly named to the Contracting Parties before the conclusion of the armistice, and that the combination be such that the duration and useful efficiency of the new Government do appear.

2. That the maintenance of all the laws and ordinances existing in the Duchies and named in Article VII, be expressly included until the conclusion of the armistice.

3. That all the troops left in the Duchies of Holstein and Schleswig under Article VIII, remain under the command of the German Commander-in-chief.

I have, at the advice of my Ministry of the Empire, resolved to despatch the Under-Secretary of State, Baron Maximilian de Gagern, to Berlin and to the Duchies of Holstein and Schleswig with particular instructions, consisting of the following points:

1. He is to arrange at Berlin with the Prussian Government about the more precise settlement and execution of the conditions of the armistice, and especially to agree about the members of the new common Government of the 2 Duchies, and at the same time to make special overtures so as to facilitate preliminaries for the conclusion of peace.

2. He will after that proceed to the Duchies and there enter into communication with the present Provisional Government, as well as with the Plenipotentiaries of the Prussian Government, for concluding the armistice, and especially with reference to the election or admittance of the individuals who, according to Article VII of the above-stated draft, are to compose the new ordinary Provisional Government of the 2 Duchies.

3. Eventually he will enter into preliminaries for the conclusion of peace with Denmark, on the basis of particular instructions which will be sent after him.

4. If requisite, he is to make known to the Danish Government the changes that have taken place in the central organ of Germany relative to foreign countries.

To this end I have given the present power to the Under Secretary of State, De Gagern, and confirmed the same by my seal.

The Regent of the German Empire,

M. de Gagern.

ARCHDUKE JOHN.

No. 55.—The Chargé d’Affaires of the French Republic at Berlin to the Prussian Minister for Foreign Affairs.

M. LE MINISTRE,

Berlin, le 16 Août, 1848.

JE viens de recevoir une dépêche de Paris, par laquelle le Ministre des Affaires Etrangères de la République, me fait savoir qu’il a appris avec grand regret que la convention d’armistice entre les troupes de leurs Majestés les Rois de Prusse et de Danemarck, proposée et déjà signée par leurs Majestés, n’avait point été suivie d’effet, que les hostilités avaient recommencé dans le Duché de Slesvig, et que le Général Prussien Wrangel, ainsi que le Ministre de la Guerre du pouvoir central provisoire à Francfort, prétendaient employer la force des armes pour séparer le Slesvig de la Monarchie Danoise et l’incorporer à la Confédération Germanique. Or, la France, par un acte spécial, annexé au Traité de Stockholm, du $\frac{3}{14}$ Juin, 1720,* entre le Danemarck et la Suède, ayant donné sa garantie au dit Traité, afin d’assurer au Danemarck la Souveraineté du Slesvig, le Ministre des Affaires Etrangères, au nom du Gouvernement de la République, m’a chargé de remettre sous les yeux de MM. les Ministres de Son Altesse Impériale l’Archiduc Vicaire-Général le texte d’un extrait du dit acte, dont voici la teneur :

“ Ayant été informé, en même temps, des difficultés insurmontables qui se rencontraient pour la restitution à la Couronne de Suède de l’île et principauté de Rugen et la forteresse de Stralsund et du reste de la Poméranie jusqu’à la rivière de Pehne occupée par la Couronne de Danemarck, si elle n’était assurée de la possession du Slesvig laquelle Sa Majesté Britannique lui a déjà garantie ; le Roi

très Chrétien a bien voulu, pour toutes ces considérations et sur les instances des Rois de la Grande Bretagne et du Danemarc, accorder à cette dernière Couronne, comme il lui donne par ces présentes, la garantie du Duché de Slesvig, promettant, en considération des susdites restitutions stipulées dans le Traité signé ce jour d'hui à Stockholm par MM. les Plénipotentiaires de Suède, de maintenir le Roi de Danemarc dans la possession paisible de la partie ducale dudit Duché."

En ajoutant que la France, fidèle à ses engagements, proteste contre la violence faite à Sa Majesté le Roi de Danemarc et contre un esprit de conquête auquel elle a d'autant plus de droit de s'opposer qu'elle est bien résolue, pour sa part, à ne jamais l'admettre dans ses conseils.

En me conformant aux instructions du Gouvernement de la République, je saisis, &c.

M. D'Auerswald.

SAVOYE.

No. 56.—Convention d'Armistice entre la Prusse et le Danemarc.—

Signée à Malmö, le 26 Août, 1848.

[Ratifications échangées à Malmö, le 1 Septembre, 1848.]

SA Majesté le Roi de Prusse, agissant en son nom ainsi qu'au nom et de la part de la Confédération Germanique, d'un côté, et SA Majesté le Roi de Danemarc, Duc de Slesvig et de Holstein, de l'autre, désirant, aussi promptement que possible, mettre fin aux hostilités entre leurs armées respectives, ont, dans le but de conclure un armistice, sous la médiation de Sa Majesté le Roi de Suède et de Norvège, nommé pour leurs Plénipotentiaires, savoir :

Sa Majesté le Roi de Prusse, le Sieur Gustave de Below, son Général-Major à la suite, Chevalier de son Ordre de l'Aigle Rouge, Seconde Classe avec la plaque, de son Ordre pour le Mérite Militaire, de celui de St. Jean et de celui de la Croix de Fer Première et Seconde Classe, Commandeur de l'Ordre Royal de l'Epée de Suède, de l'Ordre Royal des Guelphes de Hannovre, Première Classe, et de l'Ordre de St. Michel de Bavière, Chevalier des Ordres Impériaux de Russie de Ste. Anne de Seconde Classe, en diamants, et de St. Wladimir, Quatrième Classe, ainsi que de l'Ordre Royal du Lion Néerlandais; et

Sa Majesté le Roi de Danemarc, le Sieur Chrétien Hoyer de Bille, son Chambellan, son Envoyé Extraordinaire et Ministre Plénipotentiaire près Sa Majesté le Roi de Suède et de Norvège, Commandeur de son Ordre de Danebrog avec la Croix d'Argent du même Ordre, Commandeur de l'Ordre Royal des Guelphes de Hannovre Première Classe, Chevalier de l'Ordre Royal du Sauveur de Grèce; et le Sieur Holger Chrétien de Reedtz, son Chambellan, Com-

mandeur de son Ordre de Danebrog avec la Croix d'Argent du même Ordre, Commandeur de l'Ordre Royal de l'Etoile Polaire de Suède, de celui de la Légion d'Honneur de France et de celui de Léopold de Belgique ;

Lesquels se sont réunis dans la ville de Malmoe, et après avoir échangé leurs pleins-pouvoirs, trouvés et bonne en due forme, sont convenus des Articles suivants :

ART. I. A dater du jour de la signature de la présente Convention, il y aura une suspension complète des hostilités par terre et par mer pendant 7 mois, avec un dédit d'un mois pour chacun des 2 Parties Contractantes. S'il n'y a pas de dédit de part ou d'autre, la prolongation de l'armistice est regardée comme consentie par les 2 Parties.

II. Si l'armistice était dédit par l'une des parties, les armées respectives pourront reprendre les positions qu'elles occupent au moment de la conclusion de la présente Convention, lesquelles seront marquées sur une carte, par 2 officiers délégués *ad hoc* par les Généraux commandants.

III. Les blocus établis par les forces navales de Sa Majesté Danoise cesseront immédiatement après l'échange des ratifications, et des ordres à cet effet seront expédiés le même jour, si faire se peut, aux commandants des bâtiments de guerre Danois.

IV. Tous les prisonniers de guerre et politiques seront mis en liberté de part et d'autre sans délai ni restriction.

V. Tous les navires qui ont été amenés et sur lesquels on a mis l'embargo depuis le commencement de la guerre, seront rendus avec leurs cargaisons avant l'expiration de 12 jours après la signature de la présente Convention, ou plus tôt si faire se peut. La Prusse consent, tant en son nom, qu'en celui de la Confédération Germanique, à indemniser le Danemark des réquisitions prélevées en nature en Jutland, pour le compte des troupes Prussiennes et fédérales, et le Danemark s'engage de son côté, à restituer la valeur des bâtiments ou cargaisons qui auraient été vendus et qui ne pourraient être restitués en nature.

VI. Les 2 duchés, ainsi que les îles qui en dépendent, seront évacués par les troupes Danoises et par celles de la Confédération Germanique dans l'espace de 12 jours après que l'ordre en sera parvenu aux Généraux-en-chef. Toutefois la Confédération Germanique ainsi que Sa Majesté le Roi de Danemark pourront faire garder les hôpitaux et dépôts militaires qui se trouvent, pour la Confédération dans la ville d'Altona, ainsi que sur d'autres points des 2 duchés, et pour le Roi de Danemark, dans l'île d'Als, par des détachements de troupes confédérées et Danoises, qui pour l'une et pour l'autre des 2 Parties ne pourront excéder le nombre de 2,000 hommes.

Les soldats natifs de Slesvig, qui se trouvent maintenant au

service militaire dans les duchés, seront formés en corps séparés, stationnés dans le Duché de Slesvig. Ces corps seront placés, pour le maintien de la tranquillité publique, sous les ordres de l'Administration, instituée en conformité de l'Article suivant, laquelle, pour le soulagement du pays, pourra renvoyer dans leurs foyers les officiers et les soldats, qui ne seront point jugés nécessaires pour le service. La force militaire stationnée dans le Holstein sera composée du nombre actuel des troupes régulières de ce duché, faisant partie de l'armée fédérale. Ces troupes Holsteinoises seront à la disposition de l'administration des 2 duchés, mais ne pourront être diminuées que par suite d'une entente entre l'administration des duchés et le Général supérieur de l'armée de la Confédération.

VII. Les 2 Parties Contractantes sont convenues d'établir, pour la durée de l'armistice, une administration collective pour les 2 duchés, laquelle exercera ses fonctions au nom de Sa Majesté le Roi de Danemark en sa qualité de Duc de Slesvig et de Holstein et avec la même autorité, à l'exception du pouvoir législatif, dont l'exercice restera suspendu pendant la durée de l'armistice. Cette administration sera composée de 5 membres, à choisir parmi les notables des 2 duchés, qui jouissent de l'estime et de la considération générales. Deux de ces membres seront désignés par Sa Majesté le Roi de Prusse de la part de la Confédération Germanique, pour le Duché de Holstein, et 2 par Sa Majesté le Roi de Danemark, Duc de Slesvig et de Holstein, pour le Duché de Slesvig. Le cinquième de ces membres, qui remplira les fonctions de Président de l'administration collective des 2 duchés, sera nommé d'un commun accord par leurs dites Majestés. Il est convenu, que ni les membres de la Régence, en fonctions avant le 17 Mars (Schleswig-Holsteinische Regierung) ni ceux qui ont composé le Gouvernement depuis cette époque ne pourront faire partie de cette nouvelle Commission administrative, laquelle entrera en fonctions aussitôt que possible, et au plus tard, 15 jours après la signature de la présente Convention.

Il est également entendu, que toutes les lois, ordonnances et mesures administratives quelconques, émanées pour les duchés depuis le 17 Mars dernier, seront abrogées au moment de l'entrée en fonctions de la nouvelle administration, qui cependant aura la faculté de remettre en vigueur telles lois, ordonnances et mesures administratives postérieures à la dite époque, dont le maintien lui paraîtrait indispensable ou utile pour la marche régulière des affaires courantes, mais lesquelles ne doivent toutefois rien contenir qui soit contraire aux stipulations de l'Article XI.

VIII. Sa Majesté le Roi de Prusse, au nom de la Confédération Germanique, et Sa Majesté le Roi de Danemark, auront la faculté de désigner chacun de leur côté, un Commissaire pour résider dans les

Duchés pendant la durée de l'armistice, afin de veiller officieusement à l'exécution des stipulations de la présente Convention, ainsi qu'à l'application impartiale des lois en faveur de la population tant Allemande que Danoise.

IX. Le Duché de Lauenbourg sera administré durant l'armistice par une Commission dont Sa Majesté le Roi de Prusse nommera un membre au nom de la Confédération Germanique; un autre sera nommé par Sa Majesté le Roi de Danemarck, en sa qualité de Duc de Lauenbourg, et le troisième qui présidera l'administration du duché, sera nommé d'un commun accord entre les 2 Souverains.

Cette Commission administrera le Duché de Lauenbourg au nom de Sa Majesté le Roi de Danemarck, Duc de Lauenbourg, de la manière stipulée dans l'Article VII à l'égard des Duchés de Slesvig et de Holstein. Il dépendra d'une entente entre cette administration et le Général Commandant des troupes Fédérales, s'il y a lieu de faire entrer dans le Duché un détachement des troupes de la Confédération pour rester à la disposition de l'administration.

X. Les 2 Parties Contractantes réclameront la garantie de la Grande Bretagne pour la stricte exécution des Articles de la présente Convention d'armistice.

XI. Il est expressément entendu que les stipulations de cette Convention ne préjugeront nullement les conditions de la paix définitive, pour laquelle les négociations s'ouvriront immédiatement, et que ni le Danemarck, ni la Confédération n'abandonnent les prétentions et les droits qu'ils ont fait valoir respectivement.

XII. La présente Convention sera ratifiée et les ratifications échangées à Lubec dans l'espace de 8 jours à dater du jour de la signature.

La présente Convention, expédiée en double exemplaires, à été dressée en langue Française, Danoise et Allemande. Il est convenu que les doutes qui pourraient s'élever sur l'interprétation de la Convention seront décidés d'après la teneur du texte Français.

En foi de quoi les Plénipotentiaires Soussignées ont signé la présente Convention et y ont apposé le sceau de leurs armes.

Fait à Malmoe, le 26 Août, l'an de grâce 1848.

(L.S.) GUSTAVE DE BELOW.

(L.S.) BILLE.

(L.S.) REEDTZ.

Article Séparé.

Pour servir de complément et d'explication aux Articles de la Convention, conclue en date de ce jour, les Plénipotentiaires Soussignés sont convenus des points suivants:

1. Se rapportant à l'Article II.

Les ouvrages de fortification construits pendant les hostilités, de

part et d'autre, resteront pendant la durée de l'armistice dans l'état où ils se trouvent aujourd'hui.

2. Se rapportant à l'Article III.

Aussitôt après l'échange des ratifications, des bâtiments à vapeur seront expédiés pour porter par des officiers Danois aux commandants des forces navales Danoises l'ordre de lever les blocus. Ces expéditions seront soignées pour les ports de la Baltique par le Danemarc, et pour les ports de la mer du Nord par la Prusse.

3. Se rapportant à l'Article IV.

Les prisonniers et détenus seront conduits à Eckernförde aussitôt après l'échange des ratifications, et remis entre les mains des officiers, dûment autorisés à les recevoir.

4. Se rapportant à l'Article VI.

Les forces militaires du Duché de Holstein seront soumises pour ce qui regarde la discipline militaire, aux ordres d'un Général des armées Fédérales, nommé pour cet effet par Sa Majesté le Roi de Prusse.

5. Se rapportant à l'Article VII.

En statuant, que toutes les lois, ordonnances et mesures administratives quelconques émanées pour les Duchés depuis le 17 Février dernier seront abrogées, la Convention comprend tant celles promulguées à Copenhague, que celles publiées pendant la même époque dans les Duchés. L'administration collective des Duchés publiera, aussitôt que faire se peut, la spécification des lois, ordonnances et mesures administratives, qui devront être remises en vigueur.

6. Dans les attributions de l'administration collective entre la faculté de faire cesser les procès pour causes politiques.

7. Se rapportant au même Article.

Les postes et autres communications intérieures reprendront leur cours régulier et l'établissement postal à Hambourg sera rétabli.

Les stipulations ci-dessus convenues auront la même force et valeur, que si elles étaient insérées dans la Convention conclue en date de ce jour, et seront ratifiées en même temps.

En foi de quoi les Plénipotentiaires ont signé le présent Article Séparé et y ont apposé le sceau de leurs armes.

Fait à Malmoe, le 26 Août, l'an de grâce 1848.

(L.S.) GUSTAVE DE BELOW.

(L.S.) BILLE.

(L.S.) REEDTZ.

Premier Article Additionnel.

En exécution de l'Article VII du Traité conclu aujourd'hui, et conformément à ce qui est stipulé dans cet Article, les Plénipotentiaires Soussignés ont désigné de la part de leurs Souverains respectifs, Sa Majesté le Roi de Prusse et Sa Majesté le Roi de Danemarc

les personnes suivantes pour l'administration collective des Duchés de Slesvig et de Holstein, à savoir : pour Président : M. le Comte Moltke-Nutschau ; pour son substitut : M. le Baron Adolphe Blome de Falkenberg ; pour membres du Gouvernement : M. le Chambellan Baron Josias-Frédéric-Ernest de Heintze de Bordesholm, M. le Conseiller d'Etat Thomas Prehn de Ploen, M. le Bailli Jean-Frédéric Boysen de Heyde, M. Alexandre-Frédéric-Guillaume Preusser, Conseiller à la Cour d'Appel Supérieure à Kiel ; pour remplaçans : M. Adolphe de Warnstedt, Gentilhomme de la Chambre, M. le Comte Théodore Reventlow-Gersback, M. le Chambellan Adolphe-Bernard-Guillaume-Erdmann de Moltke, M. le Conseiller de Justice et Bourgmestre Chrétien-Frédéric Callisen à Flensburg. Ces nominations devront être soumises à la sanction des Souverains respectifs et les personnes désignées devront entrer en fonctions dès que les ratifications auront été échangées.

En foi de quoi les Plénipotentiaires ont signé cet Article Additionnel et y ont apposé leur sceau.

Fait à Malmö, le 26 Août, 1848.

(L.S.) GUSTAVE DE BELOW.

(L.S.) BILLE.
(L.S.) REEDTZ.

Seconde Article Additionnel.

En exécution de l'Article IX de la Convention conclue aujourd'hui et conformément à ce qui est stipulé dans cet Article, les Plénipotentiaires Soussignés ont désigné de la part de leurs Souverains respectifs, Sa Majesté le Roi de Prusse et Sa Majesté le Roi de Danemarck, les personnes suivantes pour l'administration du Duché de Lauenbourg, à savoir pour Président : M. le Comte Chrétien-André-Frédéric de Rantzau-Ratzdorf ; pour membres de l'Administration : M. le Chambellan Comte Godefroi de Reventlow, M. le Conseiller d'Etat Gustave Susemihl ; pour remplaçans : M. le Vice-Maréchal Bülow de Mussen, M. l'Assesseur Hartwig de Linstow. Ces nominations devront être soumises à la sanction des Souverains respectifs, et les personnes désignées entreront en fonctions dès que les ratifications auront été échangées.

En foi de quoi les Plénipotentiaires ont signé le présent Article Additionnel et y ont apposé leur sceau.

Fait à Malmö, le 26 Août, 1848.

(L.S.) GUSTAVE DE BELOW.

(L.S.) BILLE.
(L.S.) REEDTZ.

Les ratifications de cet armistice ont été échangées à Malmö entre le Général de Below, Commissaire Prussien, et le Chambellan de Reedtz, Commissaire Danois, le 1er Septembre, 1848, après-midi à 3 heures.

No. 57.—M. de Reedtz to General Wrangel.

M. LE GENERAL,

Slesvig, le 8 Septembre, 1848.

JE crois de mon devoir, en qualité de Commissaire de Sa Majesté le Roi de Danemarck, de soumettre à votre Excellence quelques observations relativement au mode d'exécution de la Convention signée à Malmö le 26 du mois passé.

Sa Majesté le Roi de Prusse a conclu et ratifié cette Convention, non seulement en son propre nom, mais aussi au nom et de la part de la Confédération Germanique.

L'esprit de la Convention ne saurait être douteux un seul moment. Ce n'est pas d'une simple cessation des hostilités qu'on est convenu, mais on a voulu établir intermédiairement un état de transition propre à ramener le calme, et à rendre, par là, possible la conclusion d'une paix définitive. De part et d'autre on s'est décidé à porter des sacrifices dans ce sens. Le Danemarck, en consentant à la mise en liberté des prisonniers, accorde plus qu'elle ne gagne. La restitution de tous les navires arrêtés est de la part du Danemarck un sacrifice très considérable, dont votre Excellence n'ignore pas le prix, et dont la grandeur n'est contrebalancé par aucun avantage correspondant accordé à cette Puissance. Le Roi mon maître se désiste, pendant la durée de l'armistice, de toute influence directe sur l'administration des Duchés de Slesvig, de Holstein et de Lauenbourg, et en admet, jusqu'à un certain point, l'occupation par des troupes Prussiennes et Fédérales; et les seules stipulations de la Convention qui aux yeux du Roi rachètent tous ces sacrifices, sont celles qui désavouent les actes du Gouvernement soi-disant Provisoire, qui en prononcent la dissolution, qui mettent en suspens l'exercice du pouvoir législatif, et qui arrêtent que les administrations formées d'un commun accord exercent leurs fonctions au nom de Sa Majesté. Ces conditions, nettement posées, il faut qu'elles soient exécutées aussi bien que celles qui sont à la charge du Danemarck, et j'ai l'honneur de prévenir votre Excellence que mon Gouvernement ne pourra ni ne voudra transiger là-dessus. C'est à votre Excellence, chef de l'armée Prussienne et Fédérale, qu'il appartient de faire exécuter promptement et d'une manière décisive, ces conditions, et je dois l'inviter à ne se pas dessaisir des forces nécessaires avant que le but indiqué ne soit rempli, et à en user incessamment dans ce sens, d'autant plus que tout délai compromettrait gravement la réussite, si elle ne la rendrait pas impossible. Dès que votre Excellence se décide à adopter les mesures nécessaires à cet égard, je m'empresserai d'en informer mon Gouvernement, et je serai heureux de travailler à obtenir son assentiment à tout ce qui pourrait faciliter l'exécution prompte et entière de la Convention de Malmö du 26 Août.

J'ai, &c.

Le Général Wrangel.

REEDTZ.

No. 58.—Circular of the Danish Government to their several Missions.

MONSIEUR, (Traduction.) *Copenhagen, le 17 Septembre, 1848*

LES bruits que le Danemarc serait porté à consentir à de certaines modifications dans la Convention d'Armistice conclue à Malmö en date du 26 du p. avec la Prusse, et ratifiée par cette Puissance ainsi que par le Danemarc, n'ont point attiré l'attention du Gouvernement du Roi tant qu'ils se bornèrent aux assertions des journaux Allemands. On avait la confiance que ces bruits ne seraient pas accrédités ni chez nous, ni dans l'étranger.

Mais à présent que nous sommes informés qu'une fraction de l'Assemblée Nationale de Francfort paraît vouloir faire dépendre de ces bruits une acceptation ou non-acceptation de l'armistice, je vous prie de vouloir bien faire la déclaration formelle au Gouvernement auprès duquel vous êtes accrédité, qu'il n'y a point été question ni de la part de la partie adverse de nous proposer de telles modifications, ni de la nôtre de les accepter.

Il en résulterait des complications fâcheuses si l'Assemblée susmentionnée, influencée par des suppositions erronées, entrerait dans une voie moyenne entre l'acceptation et la négation de l'armistice. Il est important au Gouvernement du Roi d'écarter tout soupçon de ce qu'une ambiguïté de cette nature aurait été causée par lui. Ce que nous nous croyons en droit d'exiger, c'est que les autorités qui prétendent être revêtus du pouvoir de soumettre l'armistice légalement conclu à leurs décisions tardives, parviennent à un résultat clair et précis, soit en agréant l'armistice pour l'effectuer aussi consciencieusement que le Danemarc l'a fait, soit en le rejetant.

L'armistice est un acte de conciliation vis-à-vis des Duchés. Son but tend à aplanir les différends qui ont surgi entre le parti Slesvig-Holsteinois et la population Danoise. Mais ce bienfait n'est pas à obtenir aussi longtems que dans les Duchés la faction qui désire continuer la guerre nourrit l'espoir d'être soutenu par l'Assemblée Nationale, et s'attend par ce moyen à la réalisation de ces desseins.

C'est là une raison de plus pour le Gouvernement du Roi de diriger tous ses efforts à obtenir une décision catégorique de la part de l'Allemagne.

J'ai l'honneur, &c.

F. M. KNUTH.

No. 59.—Proclamation issued by the pro tempore Government Commission for the Duchies of Schleswig and Holstein.

(Translation.)

Sönderburg, September 18, 1848.

THE Undersigned Commission, which, pursuant to a Convention of Armistice concluded between our most gracious King and His Majesty the King of Prussia, has been appointed as a common

Government for the Duchies of Schleswig and Holstein, has this day entered on its functions.

In conformity with Article VII of the Convention of Armistice, which is worded as follows [here follows a transcript of the said Article], this Commission is the only lawful administrative authority for the Duchies of Schleswig and Holstein, to which, with the exception of the legislative functions, the entire discharge of the sovereign power has been committed. All propositions, reports, and petitions, therefore (which, pursuant to the routine formerly followed, would have been laid before the Government Boards and Departments in Copenhagen) must now, during the course of the present armistice, be laid before the undersigned Commission, from which Commission alone the several functionaries have to take their orders and instructions in all matters ranging under the Government Boards and Departments aforesaid, and have to yield obedience to the same, even if such written orders and instructions be not signed by all the members of the Commission.

The legislative power, accordingly, and in particular the determining of the political relations of the Duchies, does not in conformity with the Convention of Armistice fall within the competence of the Commission. Its functions are exclusively administrative. To maintain and promote good conduct and industry in church and school, independence and despatch in the administration of justice, security, and tranquillity, good order and liberty; to remove, or at all events, to lighten the burdens imposed on the subjects during the war; to protect the whole inhabitants of the Duchies in their well-founded rights; to treat with due indulgence such relations and interests as have risen up during the war, even if according to what is strictly right they be deficient in a just foundation—such is the problem intrusted to the Commission. And by the blessing of the Almighty, and with the co-operation of its beloved countrymen and fellow-citizens, it hopes to effectuate the solution of this problem.

Given in the Royal Immediate Commission for the Common Government of the Duchies of Schleswig and Holstein, at Söndenburg, the 18th of September, 1848.

PAULSEN.

MOLTKE.
JOHANNSEN.
HANSEN.

No. 60.—Proclamation adressée par le Gouvernement Provisoire de (Traduction.) Slesvig-Holstein au Pays.

CONCITOYENS, *Rendsbourg, le 22 Septembre, 1848.*

NOUS avons promis dans notre proclamation du 24 Mars dernier de nous associer avec toute l'énergie possible à la lutte entreprise

pour la liberté, les droits et l'unité de l'Allemagne. Le pouvoir central allemand a envoyé à notre secours des frères allemands pour délivrer le pays de ses ennemis. Le devoir des habitants de Slesvig-Holstein est d'appuyer le pouvoir central autant qu'il dépend d'eux et de se conformer à ses ordres. L'Assemblée Nationale de Francfort, conseil souverain de la nation Allemande, a sanctionné l'armistice conclu par la couronne de Prusse entre l'Allemagne et le Danemarck; nous attendons les instructions de l'archiduc vicaire de l'empire pour déposer, d'un commun accord avec la diète de Slesvig-Holstein, le pouvoir exercé par nous; jusqu'alors, nous remplirons les devoirs que nous avons acceptés vis-à-vis du pays.

On nous a annoncé officiellement que 3 personnes, MM. Moltke, Johannsen et Hansen, ont adressé de l'île d'Alsen au peuple des Duchés des proclamations où ils se désignent comme membres "d'une Commission Royale immédiate pour le Gouvernement collectif des Duchés de Slesvig et de Holstein." Nous nous opposerons énergiquement aux menées hostiles de cette "Commission Royale immédiate," contraire aux négociations de l'armistice, et nous avons ordonné à toutes les autorités de police du pays d'arrêter partout où elles se trouveront les 3 personnes susmentionnées, et de sévir contre elles en conformité des lois. Mais nous espérons aussi que nos concitoyens ne se laisseront pas entraîner contre ces personnes à des actes d'illégalité.

Le Gouvernement Provisoire,

BESELER.

F. REVENTLOW.

M. T. SCHMIDT.

No. 61.—Circulaire adressée à toutes les autorités de Police des Duchés de Slesvig-Holstein.

(Traduction.)

Rendsbourg, le 22 Septembre, 1848.

LE Gouvernement Provisoire ayant été informé que M. le Comte Charles de Moltke, M. le Conseiller de Conférence Johannsen, en dernier lieu bailli du cercle de Hadersleben, et M. Hansen, évêque d'Ecken, se sont constitués en une soi-disant Commission Royale pour les Duchés, et qu'ils ont adressé au peuple une proclamation rédigée dans un sens hostile pour le pays, et comme il est du devoir du Gouvernement Provisoire de s'opposer à de pareilles menées, il ordonne d'arrêter les dites personnes dès qu'elles se présenteront dans le district de police de et d'en informer le Gouvernement Provisoire quand cela aura eu lieu.

BESELER.

F. REVENTLOW.

M. T. SCHMIDT.

No. 62.—Le Commissaire du Pouvoir Central de l'Empire d'Allemagne au Gouvernement Provisoire des Duchés de Slesvig-Holstein.

(Traduction.)

Slesvig, le 16 Octobre, 1848.

PAR ordre de Son Altesse Impériale l'archiduc vicaire de l'empire, je suis chargé d'annoncer au Gouvernement Provisoire des Duchés de Slesvig-Holstein que le moment est arrivé où il aura à se démettre du pouvoir exercé d'une manière si honorable depuis environ sept mois au nom de Sa Majesté le Roi-Duc. Le pouvoir central allemand ne doute nullement que le maintien des intérêts et des droits nationaux et populaires des Duchés n'ait été l'unique motif qui a déterminé 6 hommes des plus respectables du pays à se rendre, dans les plus difficiles circonstances, l'organe de l'opinion publique du pays, et à se charger avec l'assentiment de la population entière de la direction des affaires dans l'intérêt de l'ordre public et pour le préserver contre l'anarchie dont il était menacé. Ils ont déclaré eux-mêmes solennellement, avec une loyauté toute allemande, qu'ils voulaient maintenir avec les droits du pays ceux du duc, et se démettre du pouvoir accepté par eux dès que le pouvoir central exigera leur retraite.

Le pouvoir central n'est que l'interprète des sentiments de toute l'Allemagne, en me chargeant d'exprimer au Gouvernement Provisoire des Duchés de Slesvig-Holstein sa gratitude et celle de toute la patrie allemande pour le patriotisme et la fermeté, la sagesse et la modération avec lesquels il a représenté les droits nationaux imprescriptibles du peuple de Slesvig-Holstein, les droits historiques de Sa Majesté le Roi-Duc, la liberté nationale et l'ordre légal, ainsi que la cause allemande. Les hommes qui n'ont reculé devant aucun danger ni aucun sacrifice pour détourner de leur patrie de grands maux et préserver l'Allemagne de la perte d'un de ses membres les plus chers, ces hommes ont bien mérité de toute la patrie.

L'Assemblée Nationale Allemande a sanctionné sous certaines modifications qui sont en voie d'exécution l'armistice conclu le 26 Août à Malmö entre la couronne de Prusse, représentant le pouvoir central allemand, et le Danemarc, et le Ministère du Vicaire de l'Empire s'est entendu avec le Gouvernement Prussien, comme celui-ci l'a fait à son tour, avec le Gouvernement danois, sur les personnes qui devront être choisies parmi les 10 désignées dans le premier Article Additionnel de la Convention de l'armistice, pour former de la manière la plus satisfaisante le Gouvernement commun des Duchés de Slesvig-Holstein, conformément à l'Article VII de la Convention.

M. le Comte de Reventlow-Jersbeck aura la présidence, conformément à la Convention passée avec le pouvoir central. J'ai la conviction que les 5 personnes susmentionnées possèdent et méritent la confiance du pays, et j'invite au nom de Son Altesse Impériale le

Vicaire de l'Empire Messieurs les Membres du Gouvernement Provisoire du Duché de Slesvig-Holstein à porter à la connaissance de la diète les noms des susdites personnes et de me faire savoir que cette communication a eu lieu.

STEDMANN.

No. 63.—Protocole sur l'établissement d'un nouveau Gouvernement collectif pour les Duchés de Slesvig et de Holstein.

Château de Gottorff, le 22 Octobre, 1848.

AUJOURD'HUI sont arrivés au Château de Gottorf le commissaire du pouvoir central provisoire de l'Allemagne, M. Charles Stedmann, Député à l'Assemblée constituante Allemande, et le Plénipotentiaire Danois, M. Holger Chrétien de Reedtz, Chambellan, Commandeur de l'Ordre du Danebrog, Commandeur de l'Etoile Polaire de Suède, de l'Ordre Français de la Légion d'Honneur, de l'Ordre Belge de Léopold, pour installer le Gouvernement collectif, qui doit gouverner les Duchés de Slesvig et de Holstein pendant la durée de l'armistice, conformément à la Convention passée à Malmö le 26 Août* de cette année, ainsi qu'à celles passées à Berlin les 27 Septembre et 12 Octobre de la même année, entre le Ministre Prussien des Affaires Etrangères, M. le Comte de Dönhoff, représentant le Pouvoir Central Allemand, et M. le Chambellan de Reedtz.

Ces Messieurs se sont communiqué réciproquement leurs pleins-pouvoirs, dont la copie est annexée au Protocole, et les ont trouvés en bonne et due forme.

M. le Commissaire Stedmann a présenté en outre : une lettre du 13 Octobre, dont la copie est également annexée au Protocole, du Ministre des Affaires Etrangères de Prusse, M. le Comte de Dönhoff, par laquelle les attributions et les pouvoirs attribués par l'Article VIII du Traité d'Armistice de Malmö au Commissaire à nommer par Sa Majesté le Roi de Prusse sont conférés, avec l'agrément du Gouvernement Danois, à M. Charles Stedmann, en sa qualité de Plénipotentiaire de Son Altesse Impériale l'Archiduc Vicaire de l'Empire.

Etaient également arrivés au Château de Gottorff :

Les Messieurs désignés, conformément à l'Article VII du Traité d'Armistice du 26 Août et aux Conventions précitées des 27 Septembre et 12 Octobre, pour membres du Gouvernement collectif des 2 Duchés, à savoir :

MM. Paul-Jean-Frédéric Boysen, Bailli de Heide ; le Baron Jose-Frédéric-Ernest de Heintze, Bailli de Bordesholm ;

Adolphe-Bernhard-Guillaume Erdmann de Moltke ;

Alexandre-Frédéric-Guillaume Preusser, Conseiller à la Cour Supérieure d'Appel de Kiel ;

Le Comte Théodore de Reventlow de Jersbeck.

MM. les Plénipotentiaires déclarent qu'en vertu des pleins-pouvoirs qui leur ont été conférés, et en conformité du Traité d'Armistice de Malmö du 26 Août, ainsi que des ratifications échangées le 1 Septembre entre la Couronne de Prusse et celle de Danemarc, et de la sanction accordée le 16 Septembre par l'Assemblée Nationale Allemande, ils installent et ont installé les 5 Messieurs susnommés dans le Gouvernement collectif des Duchés, de telle manière que la présidence du dit Gouvernement est confiée à M. le Comte Théodore de Reventlow-Jersbeck.

Ces 5 Messieurs ont déclaré ensuite qu'ils acceptaient le Gouvernement collectif des 2 Duchés sur la base du Traité d'Armistice, tel qu'il avait été ratifié et approuvé, et qu'ils gouverneraient au nom de Sa Majesté le Roi de Danemarc, en sa qualité de Duc de Slesvig et de Holstein.

En foi de quoi ce protocole a été signé par les personnes présentes, et les 2 Commissaires y ont apposé leur sceau.

Fait au Château de Gottorff, le 22 Octobre, 1848.

STEDMANN.

REEDTZ.

CH. REVENTLOW.

BOYSEN.

HEINTZE.

A. DE MOLTKE.

PREUSSER.

No. 63.—Speech of the King of Denmark in the Constituent Assembly at Copenhagen.

MEN OF DENMARK! (Translation.) *October 23, 1848.*

It is with joy and satisfaction that I here for the first time see myself surrounded by the chosen deputies of my loyal Danish people.

The attachment, union, and self-devotion with which they have supported me and the sacred cause of our country during the heavy days which have elapsed since I ascended the throne of my fathers, hold out to me a sufficient warranty that with the blessing of God a better time will soon arise for our suffering native country, now exposed to such severe trials from the effects of violence and dissension.

Deeply impressed with the events of the past, I now proceed, in conjunction with the deputies of my people, to take under deliberation the Constitution which of my own free royal will I promised, and whereby it is my wish, my hope, and my pride to have it in my power to secure, on a firm basis, the honour and prosperity of Old Denmark.

Having reserved for my Ministers access to the Assembly and the right of speaking their sentiments in it, whenever they may find it necessary, I shall, through them, cause to be laid before you the draft of such a constitution-law, and I rely with confident hope on your loyal and zealous co-operation to the end that a final settlement of this so important affair may be completed by the present Assembly convoked for this purpose.

Should this hope be disappointed, it is not, however, my intention to give the Constitution the force of law before submitting it again to a new Assembly.

I pray that the blessing of God may preside over you and your deliberations, so that they may redound to the honour, happiness, and prosperity of our beloved country.

No. 64.—Les Commissaires de l'Empire d'Allemagne et de Danemarc, au Gouvernement collectif des Duchés de Slesvig et de Holstein. (Lettres identiques.)

Le 28 Octobre, 1848.

CONSIDERANT que l'Article VII du Traité d'Armistice du 26 Août de cette année stipule que le pouvoir législatif des Duchés, de Slesvig et de Holstein ne doit pas fonctionner tant que durera l'armistice et qu'il résulte de l'Article XI qu'il ne doit rien être fait au préjudice de la paix définitive ; considérant en outre la publication faite le 22 de ce mois par le Gouvernement collectif des 2 Duchés, installé le même jour, publication concernant les lois, les ordonnances et les mesures administratives promulguées depuis le 17 Mars dernier, le commissaire soussigné ne peut s'empêcher de faire savoir au Gouvernement précité que d'après l'observation consciencieuse du dit Traité d'Armistice, il doit se déclarer expressément et solennellement contre la validité de toutes les dispositions préjudicielles qui sont remises en vigueur par la publication susmentionnée, et que parmi les dispositions antérieures les suivantes doivent être en particulier regardées comme telles :

1. Le règlement du Gouvernement provisoire du 16 Avril, concernant l'élection de députés pour l'Assemblée Nationale, pour autant que ce règlement pourrait être appliqué ultérieurement au Duché de Slesvig ;

2. La publication faite le 23 Septembre dernier par le Gouvernement provisoire, relativement à l'inadmissibilité de l'emploi de cocardes et de drapeaux danois ;

3 La publication du Gouvernement provisoire du 20 Septembre dernier relative à la protection des navires des Duchés de Slesvig et de Holstein à l'étranger pendant la durée de l'armistice ;

4. L'ordonnance du 21 Octobre concernant le pavillon que doivent porter les navires marchands.

La même chose a lieu pour la validité de la loi fondamentale, promulguée le 15 Septembre, spécialement pour les dispositions qui traitent du droit public et pour celles contenues aux Articles I, III, LV, et CXL.

Au reste, le commissaire soussigné n'a l'intention de s'opposer ni aux principes de la liberté civile consignés dans la dite loi fondamentale, pour autant qu'ils s'accordent avec des droits bien acquis, ni à celles des ordonnances de fait du Gouvernement collectif des Duchés qui peuvent contribuer d'une manière quelconque au bien-être du pays ou des habitants particuliers.

STEDMANN.

REEDTZ.

No. 65.—Le Gouvernement Collectif des Duchés de Slesvig et de Holstein aux Commissaires de l'Empire d'Allemagne et de Danemark.

(Traduction.)

Gottorff, le 3 Novembre, 1848.

Le Gouvernement provisoire a reçu de M. Stedmann, Commissaire de l'Empire, et de M. de Reedtz, Commissaire Danois, 2 lettres identiques quant à la teneur, datées de Copenhague, 28 Octobre, 1848,* lettres qui contiennent une déclaration au sujet de quelques dispositions, &c., remises en vigueur par la proclamation du Gouvernement collectif du 22 de ce mois. Considérant que dans la susdite proclamation se trouvent expressément les mots, au Paragraphe 1., "sans préjudice des conditions de la paix définitive," et au Paragraphe 2 "sous réserve de la confirmation définitive par la paix et sans préjudice pour celle-ci," ainsi que les mots: "autant que le permettront les rapports existants pendant l'armistice;" considérant que ces mots renferment les réserves nécessaires, le Gouvernement collectif croit devoir, pour prévenir tout malentendu, faire encore observer que pour la durée de l'armistice, la légalité des dispositions, &c., remises en vigueur par lui dans la mesure de la proclamation, ne saurait être envisagée comme ayant reçu la moindre atteinte.

Le Gouvernement Collectif,

REVENTLOW.

HARBON.

LUDERS.

No. 66.—Le Commissaire de l'Empire d'Allemagne au Gouvernement Collectif des Duchés de Slesvig et Holstein.

Slesvig, le 3 Novembre, 1848.

En réponse à la lettre en date de ce jour, que je viens de recevoir du Gouvernement collectif des Duchés de Slesvig et de Holstein,

je lui fais savoir que toutes les lois, ordonnances et mesures administratives promulguées depuis le 17 Mars pour les Duchés tant à Rendsbourg et à Slesvig qu'à Copenhague, ont, sans exception, perdu toute validité du moment où le Gouvernement collectif est entré en fonctions, et que, d'un autre côté, les Articles VII et XI du Traité d'Armistice stipulent qu'on ne peut remettre en vigueur, avec ou sans clauses, aucune loi, ordonnance et mesure administrative de nature à préjuger la paix en quoi que ce soit. Je ne puis reconnaître, par conséquent, en conformité de la mission que j'ai reçue de veiller à l'exécution du dit Traité, que la validité de toutes les lois, ordonnances et mesures administratives, remises en vigueur par la proclamation du 22 du mois passé, même avec les clauses qui y sont annexées, "ne reçoit aucune atteinte" pendant la durée de l'armistice, ainsi qu'il est dit dans la lettre que le Gouvernement collectif m'a fait l'honneur de m'adresser aujourd'hui. Toutefois, conformément à la Convention que j'ai passée le 28 de ce mois avec le Commissaire Danois, Convention que je dois observer religieusement, ainsi que tous les Traités, je suis prêt à regarder de fait et sans préjudice comme mesure administrative valable tout ce que le Gouvernement collectif ordonnera et ce qui pourra être envisagé comme compatible avec les Traités et les droits de l'empire et "indispensable et avantageux" d'après l'Article VII du Traité d'Armistice pour la prospérité des Duchés, laquelle est si chère au pouvoir central et à toute la nation allemande. Le Gouvernement collectif ne saurait méconnaître que sans la dernière Convention du 28 Octobre, le maintien de fait de plusieurs dispositions aurait pu provoquer, du moins de la part du Danemarck, des plaintes qui maintenant sont inadmissibles. Le texte de la Convention du 28 Octobre, reproduit par les journaux, est la traduction allemande inexacte d'une traduction Danoise, que je ne connais point, de la Convention rédigée uniquement en langue allemande.

STEDMANN.

No. 67.—Proclamation of the Danish Government to the Duchies of Schleswig and Holstein.

Royal Schleswig-Holstein Lauenburg Chancery.

(Translation.)

November 15, 1848.

THE common Government for the Duchies of Schleswig and Holstein established in consequence of the Malmö Convention and of the agreement come to afterwards by the Commissioner of His Majesty the King, in conjunction with the Commissioner of the Provisional German Central Power, on the 22nd October,* has, by its proclamation of the 22nd October, concerning the laws, ordi-

* Page 1344.

nances, and measures of administration issued since the 17th March of this year, at the very first called forth against this proclamation a corresponding protest on the part of both Commissioners.

The Government of His Majesty the King has besides found itself obliged by the conduct, contrary to the Convention, of the above-mentioned Government to remonstrate against its entire line of action, and has at last demanded from it a positive, unconditional declaration, that it will revoke all the steps that are opposed to the expressions and sense of the Convention of Armistice, and that in future it will administrate in perfect agreement with the conditions of the armistice.

Should the common Government not yield at this positive demand of His Majesty's Government, but continue to act in opposition to the Convention of Armistice, which, in conjunction with the agreement come to afterwards between Germany and Denmark with respect to the persons of the above-mentioned Government, forms the only legal basis for the existence and power of the common Government, it would thereby itself annihilate the foundation of its legal existence, and His Majesty would find himself obliged to declare it insurrectionary, and to break off all intercourse with it.

By this description of the nature of the circumstances, it is clear that the subjects in Schleswig cannot be in duty bound to pay the war-taxes which were proclaimed by the Provisional Government, and are now demanded also by the common Government, nor generally are obliged to obey it, till that Government shall have fulfilled all reasonable and equitable demands of His Danish Majesty's Government.

C. PAULSEN.

W. ROSEN.

No. 68.—Memoir of the Provisional Government of Schleswig.

(Traduction.)

Slesvig, le 22 Novembre, 1848.

CONFORMEMENT AUX stipulations de la Convention de Malmö, le Plénipotentiaire Danois a de commun avec le Plénipotentiaire du Pouvoir Central d'Allemagne, installé le 22 Octobre de cette année une Administration collective pour les Duchés de Slesvig et de Holstein, laquelle doit exercer ses fonctions au nom et avec toute l'autorité du Roi-Duc à l'exception du pouvoir législatif. Aucune autre condition ou restriction n'y fut ajoutée.

En contradiction manifeste avec cette installation conforme au Traité, le Gouvernement Danois institua le lendemain même, le 23 Octobre, une administration séparée pour une partie du pays, les Iles d'Alsen et d'Arroe, l'autorité de laquelle fut établie de force par le blocus du passage du continent à ces îles.

Le Gouvernement légal du pays, installé le 22 Octobre, expédia alors une personne munie de pleins-pouvoirs avec l'ordre de visiter l'Ile d'Alsen, ou de constater le fait, presque incroyable, susmentionné. Il apprit que son mandataire n'avait point été admis.

A peu près à la même époque le Gouvernement Danois ordonne à son commissaire ayant mission de veiller à l'exécution du Traité de Malmö, de réclamer de commun avec le Commissaire du Pouvoir Central, contre certaines ordonnances maintenues en vigueur par l'Administration collective. Cette réclamation est datée du 28 Octobre.

Le Gouvernement collectif, après une réponse préliminaire, envoya au Pouvoir Central la négociation ultérieure sur cette question.

Sur ces entrefaites le Ministre des Affaires Etrangères de Sa Majesté Danoise, ne jugeant la question que sous un seul point de vue et adoptant une voie contraire aux usages reçus, adressa déjà en date du 5 Novembre, une nouvelle réclamation au Gouvernement collectif, demandant impérieusement cette fois l'annulation immédiate des ordonnances, sous peine de passer pour un Gouvernement insurrectionnel et illégal. Il déclara en même temps ne pas vouloir évacuer les Iles d'Alsen et d'Arroe.

Depuis lors le Gouvernement Danois refuse toujours de remplir l'obligation contractée par le Traité de Malmö, relativement à la tradition des Iles d'Alsen et d'Arroe, et tâche de justifier cette conduite par de continuelles inculpations, prétendant que le Gouvernement collectif a abusé de son pouvoir et a violé la foi des Traités, parcequ'il a maintenu en vigueur plusieurs ordonnances émanées durant une époque précédente, et qui selon l'opinion du Ministre auraient dû être annulées.

D'après l'extrait précédent, fondé sur les actes, on peut à peine mettre en question, de quelle part on pourrait avec justice élever le reproche d'un manque de bonne foi.

L'opiniâtreté du Gouvernement Danois à faire répandre partout et sans fin, que c'est le Gouvernement collectif qui a manqué de bonne foi, oblige cependant celui-ci à se justifier et à faire les observations suivantes.

La mauvaise foi du Gouvernement collectif doit, dit-on, résulter du fait, qu'il n'a point abrogé entièrement la loi fondamentale proclamée le 15 Septembre, et qu'il a maintenu en vigueur plusieurs ordonnances publiées postérieurement à la ratification de l'armistice.

Quant à la loi fondamentale, le Gouvernement Danois devait, avant d'installer le Gouvernement collectif, savoir à quoi s'en tenir sous ce rapport, car les personnes appelées à former ce Gouvernement ont crue devoir s'expliquer franchement sur leur manière d'agir, afin de lever toute incertitude à cet égard. C'est ce qu'elles

ont fait par une déclaration en réponse à une interpellation qui leur fut adressée par le Cabinet de Berlin, et où elles font mention de la nécessité de maintenir en vigueur la loi fondamentale. Cette déclaration, qui porte la date du 9 Octobre, renferme le passage suivant, nullement équivoque : “prêts à accepter le mandat de former le Gouvernement, nous partons toutefois de la supposition, que nous trouverons tant de la part des duchés et de leurs représentants que de celle des Puissances intéressées, l'appui nécessaire et indispensable pour conduire le Gouvernement d'accord avec les formes que l'état actuel des choses” dans les duchés réclame.

Dans le protocole final signé à Berlin par le Plénipotentiaire, cette déclaration se trouve mentionnée comme une annexe du protocole.

Il est inutile de débattre d'avantage la question si la supposition de la nécessité du maintien de la loi fondamentale, pour conduire le Gouvernement, était fondée ou non, car l'adoption de cette opinion était la condition de la formation du Gouvernement ; on ne saurait pas non plus discuter l'admissibilité de la supposition, puisqu'elle a été admise.

Mais c'est un manque de loyauté que d'élever après coup des plaintes à cet égard, vû surtout que le maintien de la loi fondamentale a eu lieu non seulement sous la réserve expresse “de sa confirmation par la paix,” mais encore sous celle “que cette mesure ne devait nullement préjuger les conditions de la paix définitive,” et qu'en tout cas son exécution se réglerait “d'après les rapports que l'armistice avait fait naître.”

L'interprétation consciencieuse donnée à cette dernière réserve résulte du fait que ni les employés civils ni les troupes n'ont reçu l'ordre de prêter serment à la Constitution.

La seconde raison alléguée pour expliquer les accusations odieuses portées contre le Gouvernement collectif est fondée sur la prétention, qu'en agissant de bonne foi, les lois et ordonnances promulguées après le 1 Septembre, jour de la ratification de l'armistice, auraient dû sans le moindre doute être entièrement annulées.

L'on prétend par conséquent que les termes de l'Article VII, qui s'y rapportent, sont les plus explicites, et que leur sens n'a pas même été modifié par suite des événements postérieurs. Comme il paraît cependant qu'une interprétation impartiale et faite sans la moindre prévention peut conduire à un point de vue différent, il n'est pas vrai que c'est agir déloyalement que d'adopter cette interprétation, quelle que soit aussi celle à laquelle on s'arrêtera finalement.

Le point de vue différent se trouve du reste appuyé par la considération que les ratifications du 1 Septembre ne furent échangées qu'avec le Cabinet de Berlin, qu'il fallait de même le consentement

du Pouvoir Central, et que ce consentement ne fut donné que le 16 Septembre, après qu'il eût été prouvé que les stipulations de la Convention de Malmö ne pouvaient être exécutées dans toute leur étendue, et que par conséquent la ratification du 16 Septembre n'était point uniquement une confirmation de celle du 1 Septembre, mais restait elle-même soumise à la condition qu'on s'entendrait sur quelques modifications jugées nécessaires.

Voilà ce que le Gouvernement Danois a lui-même reconnu en entamant de nouvelles négociations par rapport à ces modifications, et ce n'est que par l'installation du Gouvernement collectif en date du 22 Octobre, que toutes les difficultés touchant la reconnaissance de l'armistice furent levées.

Il faut encore convenir qu'il paraît plus naturel de ne dater la restriction faite par rapport au pouvoir législatif que du moment où l'abrogation des lois promulguées jusqu'alors devait avoir lieu, sans quoi il aurait fallu dire dans la Convention d'Armistice que les lois, ordonnances et mesures administratives émanées du Gouvernement Provisoire après la ratification de l'armistice dussent être exclues du nombre de celles que le Gouvernement collectif avait la faculté de remettre en vigueur. C'eut été d'autant plus nécessaire, que l'Article VII avait prévu que le nouveau Gouvernement ne pouvait entrer en fonction le jour même de la ratification de l'armistice.

Cependant il ne se trouve dans la Convention aucune expression y ayant rapport, et il paraît donc évident que l'abrogation des lois antérieures devant embrasser toutes les lois émanées du Gouvernement Provisoire sans exception, et rien ne constatant l'intention d'envisager d'avance plusieurs d'elles comme nulles, de même le droit attribué au Gouvernement collectif de mettre ces lois en vigueur ne saurait être restreint à celles promulguées avant le 1 Septembre.

D'après ces observations, auxquelles nous n'ajouterons plus rien, c'est au jugement impartial du public que nous nous en rapportons pour décider de quel droit et avec quel espoir de succès le Gouvernement Danois reproche au Gouvernement collectif d'avoir violé les Traités et d'avoir manqué de bonne foi, comptant ainsi justifier le refus d'évacuer les Iles d'Alsen et d'Arroe, dont la possession ne lui eut probablement pas été concédée par la Convention au prix même d'autres concessions les plus grandes.

REVENTLOW.
HARBON.
LUDERS.

No. 69.—Proclamation of the King of Denmark to the Duchies of Schleswig and Holstein.

(Translation.)

Fredericksburg, December 17, 1848.

WHEN we granted our consent to that clause of the Convention of Armistice of the 26th of August this year, in virtue of which (but at the same time without prejudging the conditions of a final Treaty of peace) there should be established a joint Government in the Duchies of Schleswig and Holstein, which, in conformity with Article VII of the Convention, should be carried on in our name, we did this under the supposition that the individuals to whom this task might be committed would deem it their inviolable duty to adhere strictly in every respect to the tenor of the Convention, and in the hope that by this means, and until a final settlement of affairs, a somewhat tolerable state of things might be secured, more especially for the great majority of the population of Schleswig, who had maintained inviolable their oath of allegiance to the King, and for that reason had been exposed to the oppressions of the previous insurrectionary Government.

This supposition and this hope have not been realised. The present Administration commenced its functions by abusing the authority intrusted to it in virtue of Article VII of the Convention, by setting in force laws and enactments which directly impugn our prerogative; and in reply to the protest, which in reference thereto was issued on the 28th October* by the 2 Commissioners on behalf of our Government and of the Provisional Central Government of Germany, the answer which they returned was equivalent to none. In the further prosecution of their functions, they have followed the precise path traced out to them by the insurrectionary Government; and while they exercise personal persecution on all who in the Duchy of Schleswig have adhered to their lawful allegiance, they have not been ashamed, more especially in their proclamation to the North Schleswigers of the 29th November, to make use of our name as a warrant for their proceedings.

From the moment that the joint Government refused paying attention to the protest issued by the 2 Commissioners against their actions at once so arbitrary and so directly contrary to the terms of the Convention, from that moment it became impossible for our Government to think of transacting with them as with a lawful authority. The Danish Commissioner has been recalled; and there was transmitted to the Representative of the Central Power, under date the 25th November, an official note, of which a copy was transmitted to the friendly Powers and the heads of it given to the public, wherein the said Representative is informed of the position in which our Government must feel itself placed towards an Administration

which persists in being guilty of the clearest infractions of the most essential stipulations of the Armistice Convention.

But now that the joint Administration in the proclamation above alluded to have gone so far as that while acting in declared hostility to our Government, it nevertheless would shelter itself under the shield of the royal name, and on behalf of the lawful Sovereign would claim obedience to unlawful requisitions, we fulfil a duty which we equally owe to our royal dignity and to our people, especially our loyal Schleswig subjects, in issuing our protest against the manner in which these functionaries, who were placed in office for the maintenance of right and justice, have nevertheless dared to abuse our royal name to justify their illegal conduct towards our subjects in Schleswig.

For the sake of the well-being of the Duchies themselves, we cannot at the present moment resolve on employing any other measures than those of negotiation for checking the abuse of power, and for the restoration of the lawful state of things. Until this be attained, which we hope is not far distant, we must express our deep regret that there exists not in our Duchies of Schleswig and Holstein any lawful authority, governing in the name of the Sovereign and according to the words and spirit of the Convention, to which our subjects ought to yield respect and obedience. But in so far as imperious necessity may compel them to yield obedience to the demand of the Power now actually exercising rule for the moment, we hereby communicate to each of our loyal subjects the assurance that any such act of compulsory obedience shall in no wise be regarded by us as any acknowledgment on their part of the usurped power, or in other words, as any defection from the duty which they owe to us as our subjects.

While in every direction, whether far or near, truth and fidelity are being violated, the people of Schleswig, though beset with oppression and temptation, have given a lucid example of unshaken fidelity to their King and country. This fidelity has afforded comfort to us in the days of adversity, and shall never be forgotten by us in those days of prosperity which, by the blessing of the most just God, we hope will soon dawn on us and on our loyal subjects.

A. G. MOLTKE.

FREDERICK R.

PROCLAMATION of the Prince of Hohenzollern-Sigmaringen, announcing the Resignation of his Rights of Sovereignty over that Principality in favour of the King of Prussia.—Sigmaringen, April 6, 1850.

(Translation.)

Sigmaringen, April 6, 1850.

AN intention which I have formed for more than a year, considered in all ways and carefully examined, which I have submitted to the discussion of experienced statesmen and highly esteemed friends, has already long ripened into a fixed determination, and has now been put into practice. I have resigned a gift both exalted in its nature and imposing duties on me which, by the counsels of Divine Providence, was delivered to me by my illustrious father from my respected ancestors. I have resigned the hereditary sovereignty of the Principality of Hohenzollern-Sigmaringen and the government of this country to the Chief of the House of Hohenzollern, to His Majesty the King of Prussia, as eventual successor to the Government of my aforesaid principality, with His Majesty's most gracious consent. May the fates of a little country ever flow like a hardly visible stream in the mighty flood of events which rushes through the countries of Germany; it is the weight of my duties as a ruler, it is the vocation which a higher Power has entrusted to my feeble hands, it is the exalted position which I share with my princely brothers, which impose on me the inevitable duty of relating the circumstances which gave rise to my determination, and of giving the reasons which justify it; it is, lastly, my unchangeable affection for a people for the most part truly loyal to the princely House, which would not permit me to part without this last friendly word; but, before all things, it concerns me to declare, that I do not renounce the government because the fulfilment of the requirements of new times has fallen too hard upon me, or because the anarchical efforts which have been made also in my country make the burden of government insupportable, but only because I wish to make a step in advance towards the fulfilment of that which is necessary for the great German Fatherland and useful to my country, a step in advance on the road to the unity, the grandeur, and the power of Germany. The days of March last year found me possessed of full powers from my illustrious father at the head of the Government, and my country in a position which gave no cause for just complaint when compared with the political circumstances which existed universally in Germany. The administration of Finance in my country, where, since the introduction of the Constitution, the principle of publicity prevailed, was then, and is now in a position of the most perfect order; the debt of the country was comparatively inconsiderable and originated in redemptions to a much higher amount,

and other arrangements increasing the value of landed property and the wealth of the people. The want of the year 1847 was lessened by munificent gifts from the princely domains and from private property in a degree which was hardly equalled in any other German country; the country in all parts was provided with established organized poor-houses, mostly founded at the Prince's expense; the administration of justice in Sigmaringen had a good name even in the neighbouring States; in an extensive building left to the country by my illustrious father, foundlings and orphans were reared and educated; buildings, roads, &c., for the Prince, were for years everywhere in progress, to give work to the impoverished industrious labourer, and in the neighbourhood of the princely residence an extensive hospital is erected by foundations of the princely family, in which as many as 100 sick may find careful attendance and care, while formerly, from the same foundation, regular assistance was given to the poor sick at their homes; lastly, a settled system of taxes preserved in the highest order made it possible to support the public expense and preserve the different ornamental institutions in the country, without burdening overmuch the taxed. When the requirements of further freedom for the people was brought from the neighbouring German countries into the Principality of Sigmaringen, they were here unreservedly granted, and joyfully might I look back to that time if impious hands had not made shameful abuse of the securities attained in better times.

After having taken into my hands, on the 28th of August last, the government of the principality according to the decree of my illustrious father and the laws of my House, I could not allow myself to be led astray by past unfortunate occurrences of diverse kinds from following up that path of progress demanded by the spirit of the times. On the evening of the 14th of March, 1848, I remitted to the citizens of Sigmaringen with one stroke of the pen a capital of upwards of half a million of florins in the shape of taxes of different kinds, and received no thanks in return. The right of holding meetings, twice made use of to bring about disturbances, still remains as it was; the freedom of the press has suffered no restriction, notwithstanding its disgusting results; publicity of judicial proceedings in civil as well as capital offences has been long introduced; trial by jury, the sheet-anchor of those who seek to upset the existing order of things, has commenced its sphere of activity. The prisons of the land have seen no political criminal within their walls, and only a few of those who excited my people to rebellion, and in the name of freedom committed crimes and brought heavy misfortune on my people, now dwell in foreign parts in order to laugh at those who called them friends of the people.

Although I may look back with perfect composure on the former

Government of the country and the then state of things, and although I may expect that, for the future, the excited minds may become sober again, that past experience will frighten them from a repetition of those rebellious acts and attempts which were begun by reckless leaders and supported by the inconsiderate masses, although I may give myself up to the joyful hope that the future political formation of Germany will bring back to my country the necessary peace, public order, and a revival of commerce and manufactures, yet still I cannot, in carrying on the Government, harmonize my views with the German view, and the responsible duties resulting from it. The present time has fundamentally shaken the existence of the smaller States; the patriarchal relation in the smaller countries between Prince and people is completely destroyed; the paternal love of the Prince is no longer desired, each one must make use of his right. The Prince is to be no longer the first servant of the State, but a dumb machine in the hands of the people; he is no longer to give generously, but it is to be taken from him by force. He is no longer to point out the way in which the welfare of the people is to be obtained, but the sorrowful right is reserved to him to tame passions overstepping all bounds of law and order. If we are not deceived the vital principle of a true constitutional Government, the fertile soil for the growth and perfection of popular freedom, a healthy and sturdy middling class fails in this little country, if not altogether, yet still in the measure necessary for the true development of the institutions of modern times. Where the press is the arena of scurrility and socialist doctrines, where trial by jury is only the guarantee for the impunity of low slanderers and revolutionists, where the militia is but the body-guard of mad revolutionists, there can be no longer any question about an honest development of ideas.

I cannot, therefore, with a heart that beats for the welfare of my people, consider it as a worthy task, as it is mine, to repress anarchical demonstrations.

My country must enter into connection with a great State, a powerful hand must hold the reins of my Government if the people's welfare—the people's happiness,—is to become permanent. I have long ago acknowledged this as true. I have not entertained it only under the passing pressure of stormy days; I have been true to it even while experiencing many touching proofs of firm attachment and a full knowledge of the honest affection which was evinced up to the latest period of my Government by many, and I say it with pride, by the better part of my people. It is not a little consolation in a bitter feeling of separation from my people, to have performed my duty when conducting the Government, and in now fulfilling it by laying down the Government. Should the warmest desire of my

heart; should the wish of all true patriots be realised, the unity of Germany emerge from the realm of dreams to that of reality, no sacrifice should be too great. I offer the greatest which I can make on the altar of my country. May my people be happy under the new powerful head; may it find benefit and unalloyed happiness in a close union with that great German land whose renowned princes issue from the same cradle as that of the Hohenzollerns, and who so nobly accepted the inheritance freely offered to it to guard and protect. My heart knows no other wish in this moment of separation; it is filled with the memory of those who have loved me, and whose love I shall preserve in future above all, with a feeling of gratitude towards those who, filled with sincere attachment, remained true to me in the hour of danger. In this solemn moment I banish from my mind all remembrance of those who persecuted and insulted me, in the sinful wish to ruin me. Let them be forgiven and forgotten. These are my last words. May heaven inspire that high Prince, my royal master, into whose hands I intrust the destiny of a people, whom I formerly termed mine; may they be happy.

CARL ANTON, *Prince of Sigmaringen.*

PROCLAMATION of the King of Prussia, incorporating the Principality of Hohenzollern-Sigmaringen with the Prussian Dominions.—Charlottenberg, March 12, 1850.

People of Hohenzollern!

(Translation.)

IN compliance with the repeatedly expressed wish of your Prince I have assumed the government of the principalities. I have by a patent of this day taken possession of the same, and the President of my Government, Mr. Spiegel Vorlinghausen, will appear amongst you to take possession of the principalities in my name. Your former Prince has formally released you from your allegiance. I salute you as my subjects. I solicit you in future to acknowledge me as your lawful King and Prince, to take the oath of allegiance to me and my successors, and to live in obedience to my laws and ordinances. I assure you in return of my fatherly care and protection. My Suabian subjects will in future stand in the same relation as the natives of my ancient country. You have up to this period not been strangers to my house and heart. My race was founded on one of your hills. A part of your territory was the point on which my house took its rise. Your Princes and those of the royal house of Prussia have the same ancestors. The royal line of the house of Hohenzollern possessed the rights accorded to it by ancient Treaties. By a law of to-day's date the territories which you inhabit

are united to the Prussian State, and in pursuance of this I have, by the patent of possession of to-day, announced the introduction of the Prussian Constitution in the Principalities. You thereby enter fully into the rights and duties of my other subjects; your sons will henceforth serve in the ranks of the Prussian army, and the Suabian warrior will be no less an ornament to the Prussian army than the Lower Saxon and dweller on the Rhine, whose hospitable reception on your high hills gave me so much joy. Your religion will find ample protection in the Prussian Constitution. The greatest consideration will be paid to your schools. Your commerce and agriculture will be fully developed. I am convinced that, seeing the curse which attaches to unfaithfulness, proved by the experience of later years, you will be faithful subjects, and show yourselves worthy of the Prussian name.

Done at Charlottenberg, March 12, 1850.

(L.S.) FREDERICK WILLIAM.

TREATY of Friendship, Commerce, and Navigation, between the Free Hanseatic Cities of Lubeck, Bremen, and Hamburg, and the Republic of Guatemala.—Signed at Guatemala, June 25, 1847.

[Ratifications exchanged at Guatemala, November 21, 1850.]

(Translation.)

WHEREAS certain commercial relations have existed for some time between the free Hanseatic towns and the Republic of Guatemala, and it has been thought useful that the said relations should be confirmed and protected by means of a Treaty of Friendship, Trade, and Navigation. Wherefore, Plenipotentiaries have been respectively appointed: namely, by the President of the Republic of Guatemala, the Licentiate Don Mariano Rodriguez, Secretary of State for Foreign Affairs; and, by the Senate of the Republic and free Hanse town of Lubeck, the Senate of the Republic and free Hanse town of Bremen, and the Senate of the Republic and free Hanse town of Hamburg, each separately, Herr Carl Friedrich Rudolph Klee, their Consul-General in Central America; who, after communicating to each other their full powers, and finding them in good and due form, have agreed upon the following Articles:

ART. I. There shall be perfect and perpetual peace, and sincere and unchangeable friendship, between the Republic of Guatemala and the Hanseatic Republics, and between their natives and citizens.

II. There shall likewise be reciprocal freedom of trade and

navigation between the Republic of Guatemala and the Hanseatic Republics. Therefore, the citizens of either of them shall be at liberty to proceed freely and securely with their ships and cargoes to all those places, ports, and rivers in the territories and dominions of the other, to which other foreigners are allowed or shall be allowed to go, to enter, abide, and dwell therein, to hire and occupy houses and warehouses for the purposes of their trade, being nevertheless subject to the laws and statutes of the 2 countries respectively.

III. The citizens of the contracting republics, dwelling in or passing through the territories of the other, shall enjoy in person and property, and in the exercise of their calling and of their religion, the same protection, securities, rights, and privileges as those which are granted or shall be granted to the citizens or subjects of the most favoured nation; they shall have free and easy access to the courts of justice to uphold and defend their rights and interests, under the conditions imposed on the natives of the republic in which they reside; they shall not be obliged to serve in the regular army or navy, nor be compelled to contribute to forced loans, nor to pay other or heavier contributions of any kind or denomination than those which the citizens of the country where they are, do or shall pay. Neither shall the vessels, crews, merchandize, or goods belonging to them be put under embargo or detained for any military expedition or public use of whatever kind, without sufficient indemnification of those interested.

IV. Between the republics of Lubeck, Bremen, and Guatemala, it is moreover stipulated that the exemption from military service, spoken of in the previous Article, includes that of the civic guard, which freedom the citizens of the 3 Hanseatic Republics shall enjoy.

V. It is likewise agreed that the citizens of each of the Contracting Parties, may dispose of their personal property within the limits of the jurisdiction of the other, by sale, donation, will, or otherwise, and their heirs, being citizens of the other party, shall succeed to the said personal property whether by will or *ab intestato*, and shall be at liberty to take possession of it, whether personally or by others acting for them, and to dispose of the same as they please, paying those charges only, to which, in like case, the inhabitants of the country where the said property is shall be liable. And if, in the case of immoveable property, the said heirs should be unable to take possession of their inheritance, on account of their being foreigners, the term of 3 years shall be given them to dispose of it as they may think fit, and to withdraw the proceeds without let, and free from the deduction of any dues on the part of the Governments of the respective States.

VI. In everything relating to the regulations of the ports, the loading and unloading of the ships, the security of merchandize,

property, and effects, the citizens of the Contracting Parties shall be subject to the local laws and ordinances, and shall also enjoy the same rights and privileges as the inhabitants of the country in which they reside.

VII. Those ships shall be reciprocally considered as Guatemalan or Hanseatic which are recognized as such in the countries to which they respectively belong, according to existing laws and regulations, or those which may be promulgated in future; it is to be understood, however, that every ship must be provided with a sea-letter or passport issued by the proper authority.

VIII. The ships of Guatemala which arrive in the ports of the Hanseatic Republics, and reciprocally the Hanseatic ships which arrive in ports of the Republic of Guatemala, shall, in regard to the levy of tonnage, anchorage, pilot, lighthouse, or any other port or municipal dues, or emoluments to public officials, and also in respect of salvage dues in case of shipwreck or damage, be treated and considered at their entrance, during their stay, and at their departure, as national ships coming from the same place.

And for the purposes of this Article, as well as for the others included in the present Treaty, it is declared: that the ports of the Republic of Guatemala are at present understood to be, that of St. Thomas as a depôt now, that of Yzabal as chief port and for registration, and that of Teleman as lower port and for coasting, on the northern coasts, and on the southern, that of Yztapa as chief port and for registration, as well as any other that may be hereafter appointed.

IX. All merchandize and marketable goods, without distinction as to their origin, the importation whereof is allowed into the ports of the Republic of Guatemala in Guatemalan ships coming from any foreign country, may likewise be imported in Hanseatic ships without paying other or heavier dues, of whatever kind or denomination, than those which the same merchandize and marketable goods do or shall pay when imported in Guatemalan ships; and reciprocally, all merchandize and marketable goods, without distinction as to their origin, the importation whereof is allowed into the ports of the Hanseatic Republics in Hanseatic ships coming from any foreign country, may likewise be imported in Guatemalan ships without paying other or heavier dues, of whatever kind or denomination, than those which the same merchandize and marketable goods do or shall pay when imported in Hanseatic ships.

What is stipulated in this Article does not contravene or annul the laws in force in any of the Contracting Republics in regard to the coasting trade, for the traffic in foreign goods despatched for consumption, and the transport of native produce from port to port; but it is also agreed that the citizens of the Contracting Parties shall

enjoy in this particular all the rights that are or shall be granted to the most favoured nation.

X. All merchandize and marketable goods, the exportation or re-exportation whereof is allowed from the ports of the Republic of Guatemala in Guatemalan ships, may likewise be exported or re-exported in Hanseatic ships, without paying other or higher dues of whatever kind or denomination, than those which the same merchandize and marketable goods do or shall pay when exported or re-exported in Guatemalan ships; and reciprocally, all merchandize and marketable goods, the exportation or re-exportation whereof is allowed from the ports of the Hanseatic Republics in Hanseatic ships, may likewise be exported or re-exported in Guatemalan ships, without paying other or higher dues, of whatever kind or denomination, than those which the same merchandize and marketable goods do or shall pay when exported or re-exported in Hanseatic ships. And the same premiums, discounts from dues, or allowances, shall be granted, whether the exportation or re-exportation from one country or the other take place in Guatemalan or Hanseatic ships.

XI. Neither in the territories of the Republic of Guatemala, nor in those of the Hanseatic Republics, shall there be paid higher or other dues of whatever kind or denomination, on the importation or on the re-exportation of any article whatever of the natural or manufactured produce of either country, than those which are or shall be paid upon the like articles of the natural or manufactured produce of any other nation. It is moreover stipulated that for the purposes of this Article, the produce which comes from the States of Salvador, Honduras, Nicaragua, and Costa Rica, in Central America, and is exported from Guatemalan ports, shall be considered and reputed as the natural and manufactured produce of Guatemala; and that the produce of the States of the German Confederation which is exported from the Hanseatic ports shall be considered as natural and manufactured produce of the Hanse Towns; it being, nevertheless, well understood, that in such cases the concession shall only be in favour of the importations or re-exportations of such produce that take place in Guatemalan or Hanseatic ships respectively.

XII. Neither in the Republic of Guatemala nor in the Hanseatic Republics, shall there be paid other or heavier dues, of whatever kind or denomination on the exportation which takes place from one of them for the other, than those which are or shall be paid on the exportation of these articles for any foreign country; nor shall the importation, exportation, or re-exportation of any article of the natural or manufactured produce of the respective countries, be prohibited unless that prohibition be extended to the trade with all nations.

XIII. The Republic of Guatemala and the Hanseatic Republics

mutually bind themselves not to grant special favours to other nations, in regard to trade and navigation, which shall not immediately become common to the other party; the enjoyment whereof shall be free, if the concession have been made freely, or conditionally, if the concession shall have been made conditional.

XIV. Whenever the citizens of either of the Contracting Parties shall find themselves under the necessity of seeking refuge or asylum in the rivers, bays, ports, or dominions of the other, with their ships, on account of stress of weather, persecution of pirates, or enemies, they shall be received and treated with humanity, granting them all favour and protection for repairing damages, obtaining provisions, and putting themselves in a situation to continue their voyage, without obstacle or impediment of any sort.

Liberty shall be granted in all the territories and dominions of either of the 2 parties to the ships of the other, the crews whereof have been lessened by sickness or any other cause, to enlist the sailors necessary for continuing their voyage, provided that the local ordinances be observed, and that the enlistment be voluntary.

XV. When any ship belonging to the citizens of either of the Contracting Parties suffers shipwreck, runs aground, or incurs any damage on the coasts, or within the dominions of the other, all aid and protection shall be given to it, according to the usage and custom of the nation where the damage occurs in regard to its own ships; allowing them to unload, if it be necessary, without levying therefor any duty, impost, or contribution, unless the merchandize or goods unloaded be intended for consumption.

XVI. All ships, merchandize, and goods belonging to citizens of one of the Contracting Parties, which may be taken by pirates, whether within the limits of its jurisdiction or on the high seas, and may be found in the rivers, roads, bays, ports, or dominions of the other, shall be delivered to their owners, they proving their rights in due and proper form before the proper tribunals; it being well understood that the claim is to be made within the space of 1 year, by the parties themselves, their attorneys, or the agents of the respective Governments.

XVII. In case one of the 2 Contracting Parties should be at war, while the other remains neutral, it is agreed that whatever the belligerent party may have stipulated or shall stipulate in favour of the neutral flag with other powers, shall also serve as the rule between the Republic of Guatemala and the Hanseatic Republics. And in order to avoid any doubt in regard to what is to be considered as contraband of war, it is agreed (saving the general principle expressed above), to restrict the definition thereof to the following articles:

1. Cannon, mortars, howitzers, patereros, blunderbusses, muskets,

firelocks, rifles, carbines, pistols, pikes, swords, sabres, lances, spears, halberds, and grenades, shells, gunpowder, matches, balls, and all other things necessary for the use of these arms.

2. Shields, helmets, cuirasses, coats of mail, trappings, and garments made in military fashion and for military use.

3. Belts and horses, together with their arms and harness.

4. And finally all kinds of arms and instruments of iron, steel, bronze, copper, and any other materials, manufactured, prepared, and intended expressly for carrying on war by sea or by land.

XVIII. In case any merchant ship of one of the Contracting Parties be visited by a ship of war of the other, it is agreed that this visit shall only be made by a boat, manned with the hands necessary to conduct it, while the visiting ship remains out of cannon shot. The examination of the papers must absolutely take place on board the visited ship, from which they shall not be removed, nor shall the captain or officers be required to go on board the examining ship on any pretence.

The commanders of armed ships shall be responsible in person and goods for the infraction of these regulations, and for any irregular and unjust conduct.

XIX. To prevent all doubt and abuse in the examination of the papers relative to the ownership of the vessels belonging to the citizens of the Contracting Parties, and the nature of their cargoes, it is agreed, that in case one of them should be at war, the sea-letters or passports which ships are to be provided with according to Article VII of this Treaty, must set forth the name, ownership, and burthen of the vessel, as well as the name and place of abode of the master or commander; and moreover they are to be furnished with certificates containing the details of the cargo, and the place from whence they sailed, which certificates shall be given by the officers of the place from whence they came, in the usual form. The neutral ship shall not be detained for want of the said requisites, or any other respecting the ownership or the nature of its cargo, unless the declaration of war was known before its departure at the place from whence it sailed.

XX. It is further agreed, that the courts established for prize cases in the country to which the prizes are taken, shall alone take cognizance of them.

And whenever the said courts of either of the parties, pass sentence against any vessel, or goods, or property claimed by the citizens of the other, the sentence or decree shall mention the reasons or grounds upon which it is founded, and there shall be delivered, without any delay, to the commander or agent of the said vessel, if it be asked for, an authentic copy of the sentence or decree, or of the whole proceedings, on payment of the lawful fees.

XXI. For the greater security of the citizens of the Contracting Republics, it is agreed that if at any time there should unfortunately happen any interruption of commercial and friendly relations, or any breach between them, the citizens of either of the 2 Contracting Parties residing in the dominions of the other shall have the right to remain and continue in the exercise of their calling, without any kind of interruption, so long as they conduct themselves peaceably, and do not transgress the laws; and their goods and property, whether entrusted to private persons or to the State, shall not be subject to seizure or sequestration, nor to any other liabilities than those which may be imposed on the like goods and property belonging to citizens of the country where they reside.

XXII. The diplomatic agents of both parties shall enjoy the same favours, immunities, exemptions, and privileges as those which are or may be granted by each of the Contracting Republics to the diplomatic agents of the most favoured nation.

XXIII. The Contracting Parties shall be at liberty to appoint consuls and vice-consuls in the ports and places of the respective territories open to foreign trade, wherein those of any other nation are or shall be admitted, and they shall enjoy the same rights, privileges, and immunities as those which are or shall be granted to the consuls and vice-consuls of the most favoured nation. The archives and papers of the consulates shall be considered inviolable, and under no pretext shall any magistrate seize them, or interfere with them in any way. In order that the consuls and vice-consuls of the 2 Contracting Parties may enjoy the rights, privileges, and immunities which belong to them in their public character, they shall, before entering upon the exercise of their functions, present their commission and patent in due form to the Government to which they are accredited, and when they have obtained the exequatur, they shall be held and considered as such by the authorities, magistrates, and inhabitants of the consular district in which they reside.

XXIV. The said consuls shall have a right to claim the aid of the local authorities for the arrest, detention, and custody of deserters from the ships of their country; and for this purpose they shall apply to the proper authorities, and claim the said deserters in writing, proving by the exhibition of the ship's registers, the muster-rolls, and other public documents, that those men formed part of the said crews, and upon the demand thus supported, the delivery of them shall not be refused. Such deserters, as soon as they are arrested, shall be placed at the disposal of the said consuls, and may be put in the public prisons, under the care and at the cost of those who desire it, in order to be sent to the ships to which they belong, or to others of the same nation.

But if they be not sent away within 4 months, reckoned from the day of their arrest, they shall be set at liberty, and shall not be liable to be taken again for the same cause.

XXV. In consideration of the national and political connexions existing between the Hanseatic Republics and the other States of the Germanic Confederation, and as it is very important to all the Contracting Parties that the stipulations of the present Treaty should be extended as quickly as possible to all the States of the said Confederation, it is further agreed that if one or more of the said States should be disposed to join the present Convention with the Republic of Guatemala, the accession shall be always free and open to them, whether under the form of a distinct Treaty, or only by means of the exchange of official declarations, it being well understood that the Powers acceding shall be placed, in regard to every purpose and intention of the present Treaty, on the same footing as the Hanseatic Republics, and enjoy the same advantages and privileges, and be subject to the same conditions, stipulations, and obligations.

XXVI. If any one or more of the citizens of either party shall infringe any of the Articles contained in the present Treaty, the said citizens shall be personally responsible, without any interruption on that account of the harmony and good understanding between the respective Governments; both promising not to protect the offender in any way, nor to sanction such violation.

XXVII. If (though in truth it is not to be expected) unfortunately any one or more of the Articles contained in the present Treaty should be infringed or violated in any manner whatever, it is expressly stipulated, that neither of the Contracting Parties shall authorize any acts of reprisal, nor declare war against the other, on complaint of injury or damage, until the party supposing itself aggrieved, shall have presented to the other a statement of those injuries or damages, corroborated by sufficient proof and evidence, and requiring justice and satisfaction; and that this shall have been denied or put off without cause.

XXVIII. The present Treaty shall be perpetually binding in all that relates to peace and friendship; and in the points concerning trade and navigation, it shall remain in force and vigour for the term of 12 years, reckoned from the day of the exchange of the ratifications. Notwithstanding which, if neither of the parties notify to the other 1 year before the expiration of the term of its validity, their intention to put an end to it, it shall remain always binding upon both parties until 1 year after the said intention has been notified.

XXIX. Although the present Treaty is common to the 3 Hanseatic Republics of Lubeck, Bremen, and Hamburg, it is also agreed that the sovereign Governments of those towns shall not be responsible as a body, and that the stipulations of the Treaty shall remain

in full force with regard to the remainder of the said republics, though it should come to an end in respect of some of them.

XXX. When the present Treaty of friendship, trade, and navigation has been ratified by the Government of the Republic of Guatemala, and by the Senates of the Hanseatic Republics, the ratifications shall be exchanged at Guatemala, or at Hamburg, in the space of 1 year reckoned from this day, or sooner, if possible.

In faith whereof, we, the Plenipotentiaries of the Parties, have signed and sealed these presents.

Done in the city of Guatemala, on the 25th of June, 1847.

(L.S.) J. MARIANO RODRIGUEZ.

(L.S.) C. F. R. KLEE.

TREATY of Commerce and Navigation, between the Free Hanseatic Cities of Hamburg, Lubeck, and Bremen, and the Republic of Costa Rica.—Signed at Guatemala, March 10, 1848.

[Ratifications exchanged at Hamburgh, January 11, 1850.]

(Translation.)

THE relations in regard to trade and navigation hitherto existing between the free Hanseatic towns and the sovereign State and Republic of Costa Rica having shown how useful and profitable it would be to have them confirmed and established in the most permanent manner, and having induced the Governments of both countries to effect that object by means of a Treaty, and that of Friendship, Trade, and Navigation, concluded on the 25th of June, 1847, between the Hanse Towns and the Republic of Guatemala, having been taken into consideration, and all its stipulations found to be applicable likewise to the sovereign State and Republic of Costa Rica without further variation than is required by local circumstances. There have been appointed for this purpose the respective Plenipotentiaries, namely, for his Excellency the President of the sovereign State and Republic of Costa Rica, the Senator Doctor Nasario Toledo, and for the Senate of the Republic and Free Hanse Town of Lubeck, for the Senate of the Republic and Free Hanse Town of Bremen, for the Senate of the Republic and Free Hanse Town of Hamburg, for each of them jointly and separately Herr Carl Friedrich Rudolph Klee, their Consul-General in Central America; who, after communicating to each other their full powers, and finding them in due form, have agreed upon the following Articles:

ART. I. The sovereign State and Republic of Costa Rica accedes to and admits in all its parts the Treaty of Friendship, Trade, and Navigation, concluded in this city on the 25th of June, 1847, between the Republics and Free Hanse Towns, and the Republic of Guatemala and the Republics and Free Hanse Towns accept this accession on the part of the sovereign State and Republic of Costa Rica.

II. Wherefore all the Articles of the aforesaid Treaty shall be held as concluded, and signed in the same manner as the present Convention between the Republics and Free Hanse Towns, and the sovereign State and Republic of Costa Rica. The Contracting Parties agree and reciprocally promise each other to fulfil faithfully the conditions and obligations of the present Convention; and in order to prevent any misunderstanding, it has been determined that the above-mentioned Treaty shall be inserted here, word for word, as follows:

[Here follows the Treaty, see page 1359.]

III. With respect to Article VIII of the foregoing Treaty, it is at present to be understood that the ports of the sovereign State and Republic of Costa Rica are those of Moin, in the Atlantic Ocean, and that of Punta Arenas, in the Pacific Ocean, or any other which may hereafter be appointed in either of the 2 seas.

IV. The present Convention shall be ratified, and the ratifications thereof exchanged, at Guatemala or at Hamburg, within the space of 12 months, or sooner, if possible. In faith whereof the said Plenipotentiaries have signed the present Convention, sealing it with their respective seals.

Done at Guatemala, on the 10th of March, 1848.

(L.S.) NASARIO TOLEDO.

(L.S.) C. F. R. KLEE.

INDEX.

A.

	Page
ABOH. <i>Treaty with Great Britain. Peace. Friendship. Slave Trade. Commerce</i>	Aboh, 28th August, 1841. 901
ACCOUNTS, FINANCE, &c. <i>See</i> BELGIUM. FRANCE. GREAT BRITAIN.	
ACQUA (KING). <i>Treaties with Great Britain. Slave Trade, &c. See CAMEROONS.</i>	
ACT. (Colombia.) <i>Slave Trade. Piracy</i>	Bogotá, 14th February, 1825. 1162
..... (France.) <i>Guarantee of Duchy of Schleswig to Denmark.</i>	Stockholm, 14th June, 1720. 1261
..... (Great Britain.) <i>Guarantee of Duchy of Schleswig to Denmark.</i>	Fredericksburg, 23rd July, 1720. 1262
..... (Ionian Islands.) <i>British Diplomatic and Consular Jurisdiction over Ionians in Ottoman Dominions.</i>	Corfu, 1st April, 1845. 940
....(do.).... <i>Error in Act of April 1, 1845. British Diplomatic and Consular Jurisdiction over Ionians in Ottoman Dominions</i>	Corfu, 20th August, 1845. 941
....(do.).... <i>Execution of Treaty of Commerce and Navigation between Great Britain and Tuscany of April 5, 1847.</i>	Corfu, 24th April, 1847. 948
..... (Liberia.) <i>Slave Trade.</i>	20th December, 1849. 258
ACT OF PARLIAMENT. <i>See</i> GREAT BRITAIN.	
ADDITIONAL ARTICLES. <i>See</i> TREATIES.	
ADDITIONAL CONVENTION. <i>See</i> TREATIES.	
AFRICA (WEST COAST). <i>Correspondence with Great Britain. Slave Trade, 1850, 1851</i>	231, 297
..... TREATIES, &c. between GREAT BRITAIN and NATIVE STATES and CHIEFS, viz. : —with	
..... Aboh. <i>Treaty. Peace. Friendship. Slave Trade. Commerce.</i>	Aboh, 28th August, 1841. 901
..... Ambriz. <i>Agreement. Trade.</i>	Ambriz, 15th December, 1849. 266
..... Bereira. <i>Treaty. Peace. Friendship. Slave Trade. Commerce.</i>	Fouricaria, 28th May, 1845. 936
..... Bonny. <i>Engagement. Human Sacrifices.</i>	2nd December, 1849. 261
..... <i>Engagement. Payment of Comey.</i>	Bonny, 2nd December, 1849. 262
..... Calebar. <i>Treaty. Slave Trade.</i>	Calebar, 6th December, 1841. 908

	Page
AFRICA (WEST COAST). TREATIES, &c. between GREAT BRITAIN and NATIVE CHIEFS and STATES, <i>continued</i> , viz.:—with	
..... Cameroons. (<i>King Acqua.</i>) <i>Treaty. Slave Trade.</i>	
Acqua Town, 7th May, 1841.	899
..... (<i>Do.</i>) <i>British Declaration. Presents.</i>	
25th April, 1842.	900
..... (<i>Kings Acqua and Bell.</i>) <i>Agreement. Commerce. Navigation.</i>	
Bell's Town, 18th March, 1840.	885
..... (<i>Do.</i>) <i>Declaration. Slave Trade.</i>	
King's Town, 10th June, 1840.	886
..... (<i>King Bell.</i>) <i>Treaty. Slave Trade.</i>	
Bell's Town, 7th May, 1841.	898
..... (<i>Do.</i>) <i>British Declaration. Presents.</i>	
25th April, 1842.	899
..... Cantalicunda. <i>Treaty. Peace. Friendship. Slave Trade. Commerce.</i>	
Canticunda, 18th January, 1843.	922
..... Cape Mount. <i>Convention. Slave Trade. Commerce.</i>	
Fanama, 21st February, 1841.	895
..... <i>Additional Agreements. Slave Trade.</i>	
Fanama, 13th March, 1841.	895
..... Cartabar. <i>Treaty. Slave Trade. Commerce.</i>	
Cartabar, 23rd April, 1841.	896
..... Chacoonda. <i>Treaty. Peace. Friendship. Slave Trade. Commerce.</i>	
Foula Tenda, 6th January, 1843.	915
..... Corro. <i>Treaty. Peace. Friendship. Slave Trade. Commerce.</i>	
Banna Tenda, 9th January, 1843.	918
..... Dobacoonda. <i>Treaty. Peace. Friendship. Slave Trade. Commerce.</i>	
MacCarthy's Island, 21st January, 1843.	925
..... Egarra. <i>Treaty. Slave Trade. Commerce.</i>	
Iddah, 6th September, 1841.	904
..... Fouricaria. <i>Treaty. Peace. Friendship. Slave Trade. Commerce.</i>	
Fouricaria, 28th May, 1845.	933
..... Gaboon. <i>Convention. Amity. Commerce.</i>	
King William's Town, 10th November, 1840.	887
..... Gallinas. <i>Treaty. Slave Trade. Commerce.</i>	
Dumbacorro, 21st November, 1840.	888
..... (<i>Do.</i>) <i>Oath. Abolition of Slave Trade.</i>	
Mina, 28th January, 1850.	256
..... Malaghea. <i>Treaty. Peace. Friendship. Slave Trade. Commerce.</i>	
Malaghea, 23rd May, 1845.	930

	Page
AFRICA (WEST COAST). TREATIES, &c. between GREAT BRITAIN and NATIVE CHIEFS and STATES, <i>con-</i> <i>tinued, viz. :—with</i>	
..... <i>Moricaryah. Treaty. Peace. Friendship.</i> <i>Slave Trade. Commerce.</i> Kontaigh, 20th May, 1845.	927
..... <i>New Cestos. Treaty. Slave Trade. Com-</i> <i>merce.</i> New Cestos, 11th January, 1841.	889
..... <i>Nyanibantang. Treaty. Slave Trade. Com-</i> <i>merce.</i> MacCarthy's Island, 31st December, 1842.	913
..... <i>Papels. Treaty. Commerce.</i> Bissao, 1st April, 1842.	909
..... <i>Samo. Treaty. Peace. Friendship. Slave</i> <i>Trade. Commerce.</i> Kontaigh, 20th May, 1845.	927
..... <i>Solyman. Oath. Abolition of Slave Trade.</i> Mina, 28th January, 1850.	256
..... <i>Timmanees. Treaty. Slave Trade. Com-</i> <i>merce.</i> Port Logo, 13th February, 1841.	889
..... <i>Woolli. Treaty. Peace. Friendship. Slave</i> <i>Trade. Commerce.</i> Medina, 13th January, 1843.	920
AMBRIZ. <i>Agreement with Great Britain. Trade.</i> Ambriz, 15th December, 1849.	266
..... <i>Correspondence between Great Britain and Portugal. Sove-</i> <i>reignty.....</i> 1850, 1851.	505, 514
ANGOLA. <i>Portaria of Governor. Coasting Trade....</i> Loanda, 24th June, 1848.	537
ANHALT-BERNBOURG. TREATIES, &c. with FOREIGN POWERS, <i>viz. :—with</i> <i>Netherlands, &c. Treaty. Commerce.</i> <i>Navigation.</i> The Hague, 31st December, 1851.	1109
..... <i>Sardinia, &c. Additional Convention.</i> <i>Commerce. Navigation.</i> Turin, 20th May, 1851.	1194
ANHALT-CÆTHEN. TREATIES, &c. with FOREIGN POWERS, <i>viz. :—with</i> <i>Netherlands, &c. Treaty. Commerce.</i> <i>Navigation.</i> The Hague, 31st December, 1851.	1109
..... <i>Sardinia, &c. Additional Convention.</i> <i>Commerce. Navigation.</i> Turin, 20th May, 1851.	1194
ANHALT-DESSAU. TREATIES, &c. with FOREIGN POWERS, <i>viz. :—with</i> <i>Netherlands, &c. Treaty. Commerce.</i> <i>Navigation.</i> The Hague, 31st December, 1851.	1109
..... <i>Sardinia, &c. Additional Convention.</i> <i>Commerce. Navigation.</i> Turin, 20th May, 1851.	1194
ATLANTIC and PACIFIC CANAL. <i>See NICARAGUA.</i>	

	Page
AUGUSTENBURG (<i>Duke of</i>). <i>Declaration. Hereditary Rights. Schleswig-Holstein.</i>	
Augustenburg, 11th August, 1846.	1266
..... <i>Proclamation to Inhabitants of Schleswig-Holstein</i>.....Rendsburg, 31st March, 1848.	1277
..... <i>Protest against Danish Royal Rescript of July 8, 1846. Succession to Duchies of Schleswig and Holstein.</i>	
Augustenburg, 30th July, 1846.	1265
AUSTRIA. <i>Correspondence with Great Britain. Slave Trade</i>	1850. 298
..... with Great Britain, &c. <i>Refugees from Hungary within Turkish Dominions</i>	1851. 121
B.	
BADEN. TREATIES, &c. with FOREIGN POWERS, viz. :—with	
..... <i>Netherlands, &c. Treaty. Commerce. Navigation.</i>	
The Hague, 31st December, 1851.	1109
..... <i>Sardinia, &c. Additional Convention. Commerce. Navigation</i>	Turin, 20th May, 1851. 1194
BAVARIA. TREATIES, &c. with FOREIGN POWERS, viz. :—with	
..... <i>Netherlands, &c. Treaty. Commerce. Navigation.</i>	
The Hague, 31st December, 1851.	1109
..... <i>Sardinia, &c. Additional Convention. Commerce. Navigation</i>	Turin, 20th May, 1851. 1194
BELGIUM. <i>Correspondence with Great Britain. Slave Trade.</i>	1851. 298
..... <i>Laws fixing the Budget of Expenditure for 1851, viz. :</i>	
..... <i>Dotations</i>	22nd April, 1850. 680
..... <i>Finances</i>	4th June, 1850. 680
..... <i>Public Debt</i>	4th June, 1850. 683
..... <i>Non-Valeurs</i>	5th June, 1850. 686
..... <i>Expenses</i>	5th June, 1850. 688
..... <i>Ways and Means</i> ..	26th December, 1850. 689
..... <i>Interior</i>	28th December, 1850. 695
..... <i>Justice</i>	29th December, 1850. 702
..... <i>Foreign Affairs</i>	30th December, 1850. 706
..... <i>Public Works</i>	30th December, 1850. 708
..... <i>War</i>	27th February, 1851. 713
..... <i>Speech of King. Opening of the Chambers.</i>	
Brussels, 4th November, 1851.	861
..... TREATIES, &c. with FOREIGN POWERS, viz. :—with	
..... <i>Great Britain. Treaty. Commerce. Navigation.</i>	
London, 27th October, 1851.	4
..... <i>Additional Articles. Ionian Islands.</i>	
London, 27th October, 1851.	14
..... <i>Declaration on Exchange of Ratifications. London, 7th April, 1852.</i>	15
..... <i>Netherlands. Treaty. Commerce. Navigation.</i>	
The Hague, 20th September, 1851.	1173
..... <i>Sardinia. Treaty. Commerce. Navigation.</i>	
Turin, 24th January, 1851.	149

	Page
BELL (KING). <i>Treaties with Great Britain. Slave Trade, &c. See CAMEROONS.</i>	
BEREIRA. <i>Treaty with Great Britain. Peace. Friendship. Slave Trade. Commerce.</i>	Fouricaria, 28th May, 1845. 936
BLOCKADE (<i>British</i>) of Salvador. <i>Notification</i>	London, 8th March, 1851. 858
..... (<i>Danish</i>) of German Ports. <i>Declaration.</i>	
	Copenhagen, 29th April, 1848. 1298
...(<i>do.</i>)... of River Eyder, raised. <i>British Notification.</i>	
	London, 30th January, 1851. 857
(<i>Turkish</i>) of Ports and Coasts of Samos. <i>British Notification.</i>	
	London, 11th February, 1851. 857
...(<i>do.</i>) ... of Ports and Coasts of Samos, raised. <i>British Notification</i>	London, 22nd May, 1851. 858
BONNY. <i>Engagement with Great Britain. Human Sacrifices.</i>	
	2nd December, 1849. 261
..... <i>Engagement with Great Britain. Payment of Comey.</i>	
	Bonny, 2nd December, 1849. 262
BOUNDARIES. <i>Act of Parliament (British). Canada and New Brunswick.</i>	
	7th August, 1851. 850
BRAZIL. <i>Correspondence with Great Britain. Slave Trade.</i>	1850. 1851. 298
..... <i>Law prohibiting Introduction of Slaves into Province of Rio Grande do Sul</i>	18th October, 1850. 440
..... <i>Order. Prohibition to African Boatmen to ply at Quays of Bahia.</i>	
	Bahia, 2nd November, 1850. 428
..... TREATIES, &c. with FOREIGN POWERS, viz.:—with	
..... <i>Entre Rios and Uruguay. Convention. Offensive and Defensive Alliance.</i>	
	Monte Video, 29th May, 1851. 1135
..... <i>Sardinia. Declarations. Abolition of Differential Dues.</i>	Rio de Janeiro, ^{24th July, 1848.} 24th May, 1849. 1128
..... <i>Uruguay. Treaty. Alliance.</i>	
	Rio de Janeiro, 12th October, 1851. 1141
..... <i>Treaty. Commerce. Navigation.</i>	
	Rio de Janeiro, 12th October, 1851. 1145
..... <i>Treaty. Limits.</i>	
	Rio de Janeiro, 12th October, 1851. 1151
..... <i>Treaty. Pecuniary Assistance to Uruguay.</i>	
	Rio de Janeiro, 12th October, 1851. 1154
..... <i>Treaty. Surrender of Criminals, Deserters, and Runaway Slaves.</i>	
	Rio de Janeiro, 12th October, 1851. 1158
BREMEN. TREATIES, &c. with FOREIGN POWERS, viz.:—with	
..... <i>Costa Rica. Treaty. Commerce. Navigation.</i>	
	Guatemala, 10th March, 1848. 1367
..... <i>Guatemala. Treaty. Friendship. Commerce. Navigation.</i>	Guatemala, 25th June, 1847. 1359
..... <i>Sardinia. Treaty. Commerce. Navigation.</i>	
	Paris, 29th April, 1851. 1189
BRUNSWICK. TREATIES, &c. with FOREIGN POWERS, viz.:—with	
..... <i>Netherlands, &c. Treaty. Commerce. Navigation.</i>	The Hague, 31st December, 1851. 1109
..... <i>Sardinia, &c. Additional Convention. Commerce. Navigation.</i> ..	Turin, 20th May, 1851. 1194

	Page
CORRO. <i>Treaty with Great Britain. Peace, Friendship. Slave Trade. Commerce</i>	Banna Tenda, 9th January, 1843. 918
COSTA RICA. <i>Correspondence. Great Britain and United States. Central America</i>	1849—1851. 953
..... TREATIES, &c. with FOREIGN POWERS, viz.:—with	
..... <i>Hanse Towns. Treaty. Commerce. Navigation.</i>	
	Guatemala, 10th March, 1848. 1367
..... <i>United States. Treaty. Friendship. Commerce. Navigation.</i>	
	Washington, 10th July, 1851. 1090

D.

DECLARATION. (<i>Duke of Augustenborg.</i>) <i>Hereditary Rights. Schleswig-Holstein.</i>	Augustenburg, 11th August, 1846. 1266
..... (<i>Danish.</i>) <i>Blockade of German Ports.</i>	
	Copenhagen, 29th April, 1848. 1298
..... (<i>Germanic Confederation.</i>) <i>Slave Trade.</i>	
	Frankfort, 3rd February, 1843. 952
..... (<i>Sweden.</i>) <i>Aggression of Germany on Danish Duchy of Schleswig</i>	Berlin, 9th May, 1848. 1301
	See also TREATIES.
DECREE. (<i>France.</i>) <i>Promulgation of Treaty of Commerce and Navigation, with Sardinia, of 5th November, 1850.</i>	
	Paris, 10th February, 1851. 1237
....(<i>do.</i>)... <i>Execution of Treaty of Commerce and Navigation with Sardinia, of 5th November, 1850.</i>	
	Paris, 10th February, 1851. 1244
....(<i>do.</i>)... <i>Execution of Articles III and V of Convention of Commerce and Navigation with Sardinia, of 5th November, 1850</i>	Paris, 10th February, 1851. 1246
....(<i>do.</i>)... <i>Promulgation of Additional Convention of Commerce and Navigation with Sardinia, of 20th May, 1851.</i>	
	Paris, 17th July, 1851, 1248
....(<i>do.</i>)... <i>Execution of Additional Convention of Commerce and Navigation with Sardinia, of 20th May, 1851.</i>	
	Paris, 19th July, 1851. 1247
..... (<i>Nicaragua.</i>) <i>Temporary Cession of Island of Tigre to United States</i>	9th October, 1849. 999
DENMARK. Act. (<i>French.</i>) <i>Guarantee of Duchy of Schleswig to Denmark</i>	Stockholm, 14th June, 1720. 1261
.... (<i>British.</i>) <i>Guarantee of Duchy of Schleswig to Denmark</i> ..	Fredericksburg, 23rd July, 1720. 1262
..... <i>Correspondence and Documents. Affairs of Duchies of Schleswig and Holstein</i>	1844—1848. 1250
..... <i>with Great Britain. Slave Trade</i>	1851. 302
..... <i>Declaration of Duke of Augustenburg. Hereditary Rights. Schleswig-Holstein.</i>	
	Augustenburg, 11th August, 1846. 1266
..... <i>Blockade of German Ports.</i>	
	Copenhagen, 29th April, 1848. 1298

	Page
DENMARK. <i>Declaration. (Swedish.) Aggression of Germany on Danish Duchy of Schleswig.....</i>	Berlin, 9th May, 1848. 1301
..... <i>Letters Patent of King. Accession to Throne.</i>	
	Copenhagen, 20th January, 1848. 1269
..... <i>Notification. (British.) Raising of Danish Restrictions on Navigation of the Eyder.....</i>	London, 30th January, 1851. 857
..... <i>Proclamation of King. Relation of Duchies of Schleswig, Holstein, and Lauenburg to Denmark and Germanic Confederation.</i>	
	Plön, 18th September, 1846. 1266
..... <i>of Provisional Government of Schleswig-Holstein against Proceedings of King of Denmark.....</i>	Kiel, 24th March, 1848. 1272
..... <i>of King. Relation of Schleswig to Denmark, and of Holstein to Germanic Confederation.</i>	
	Christiansborg, 24th March, 1848. 1273
..... <i>of Provisional Government of Rendsburg, calling on Inhabitants of Schleswig-Holstein to send Troops for the Defence of the Country.</i>	
	Rendsburg, 24th March, 1848. 1275
..... <i>of King. Joint Constitution for Denmark and Schleswig and Separate Constitution for Holstein.....</i>	Christiansborg, 27th March, 1848. 1276
..... <i>of King. Usurpation of Authority in Duchies of Schleswig and Holstein by Provisional Government ..</i>	Copenhagen, 29th March, 1848. 1276
..... <i>of King, calling on Inhabitants of Duchy of Holstein to return to their Allegiance.</i>	
	Copenhagen, 29th March, 1848. 1277
..... <i>of Duke of Augustenburg. Rights of Duchies of Schleswig and Holstein.</i>	
	Rendsburg, 31st March, 1848. 1277
..... <i>of King. Maintenance of Right to Duchy of Schleswig.....</i>	Sonderburg, 6th April, 1848. 1283
..... <i>of Provisional Government of Schleswig-Holstein. Renewal of Hostilities.</i>	
	Rendsburg, 25th July, 1848. 1329
..... <i>of Temporary Government Commission for Duchies of Schleswig and Holstein. Sovereign Power.....</i>	Sonderburg, 18th September, 1848. 1340
..... <i>of Provisional Government of Schleswig-Holstein, denouncing Royal Commission appointed for the Duchies.</i>	
	Rendsburg, 22nd September, 1848. 1341
..... <i>of Government against Proceedings of Common Government for Duchies of Schleswig and Holstein</i>	15th November, 1848. 1348
..... <i>of King. Illegal Acts of Common Government for Duchies of Schleswig and Holstein.</i>	
	Fredericksburg, 17th December, 1848. 1353
..... <i>Protest of Holstein against Vote of Roeskild Assembly, affecting the Rights of the Duchies of Schleswig and Holstein.</i>	
	21st December, 1844. 1253

	Page
DENMARK. <i>Protest of Duke of Oldenburg against Danish Royal Rescript of 8th July, 1846. Succession to Duchies of Schleswig and Holstein</i>	Hamburgh, 18th July, 1846. 1264
..... <i>of Duke of Augustenburg against Danish Royal Rescript of July 8, 1846. Succession to Duchies of Schleswig and Holstein</i>	Augustenburg, 30th July, 1846. 1265
..... <i>of Danish Government against entrance of Prussian Troops into Duchy of Holstein.</i>	Copenhagen, 6th April, 1848. 1283
..... <i>Protocol of Conference between Commissioners of Denmark, Germany, Schleswig, and Holstein. New Collective Government for Duchies.</i> Gottorff, 22nd October, 1848.	1344
..... <i>Royal Rescript. Order of Succession to Territories composing Danish Monarchy.</i>	Sorgenfrey, 8th July, 1846. 1261
..... <i>Introduction of a Constitution.</i>	28th January, 1848. 1270
..... <i>Resolution (German Diet). Affairs of Duchy of Holstein.</i>	Frankfort, 17th September, 1846. 1267
..... (do.)..... <i>Federal Rights of Duchy of Holstein; and Union with Schleswig.</i>	Frankfort, 4th April, 1848. 1281
..... (do.)..... <i>Right of Holstein to remain united to Schleswig. Recognition of Provisional Government.</i>	Frankfort, 12th April, 1848. 1287
..... <i>Speech of the King. Opening of Constituent Assembly.</i>	Copenhagen, 23rd October, 1848. 1345
..... TREATIES, &c. with FOREIGN POWERS, viz.:—with	
..... <i>Prussia. Convention. Armistice.</i>	Malmö, 26th August, 1848. 1333
..... <i>Sardinia. Declarations. Abolition of Differential Dues</i>	Turin, 12th July, Copenhagen, 11th September, 1850. 1133
DOBACOONDA. <i>Treaty with Great Britain. Peace. Friendship. Slave Trade Commerce.</i>	MacCarthy's Island, 21st January, 1843. 918
DOCUMENTS, OFFICIAL. <i>Act of Parliament. (British.) Production in Courts of Law</i>	7th August, 1851. 852

E.

ECCLESIASTICAL TITLES. <i>Act of Parliament. (British.) Assumption of, in United Kingdom</i>	1st August, 1851. 848
EGARRA. <i>Treaty with Great Britain. Slave Trade. Commerce.</i>	Iddah, 6th September, 1841. 904
ENTRE RIOS. <i>Convention with Brazil and Uruguay. Offensive and Defensive Alliance</i>	Monte Video, 29th May, 1851. 1135
EQUATOR. <i>Act of Congress of Columbia. Slave Trade, Piracy.</i>	Bogotá, 14th February, 1825. 1162
..... <i>Treaty with Great Britain. Friendship. Commerce. Navigation</i>	Quito, 3rd May, 1851. 18

	Page
EXHIBITION of 1851. <i>Act of Parliament. (British.) Protection from Piracy to Persons exhibiting new Inventions.</i>	
11th April, 1851.	845
EYDER. <i>Notification. (British.) Raising of Danish Restrictions on Navigation of....</i>	
London, 30th January, 1851.	857
F.	
FEES. <i>Order in Council (British). Consular, on Certificates of Shipment, Discharge, or Desertion of British Seamen in Foreign Ports.</i>	
London, 14th April, 1851.	858
FIRMAN. <i>(Turkish.) Protestant Rayas.....</i>	October, 1850. 226
FOURICARIA. <i>Treaty with Great Britain. Peace. Friendship. Slave Trade. Commerce.....</i>	Fouricaria, 28th May, 1845. 933
FRANCE. <i>Act. Guarantee of Duchy of Schleswig to Denmark.</i>	
Stockholm, 14th June, 1720.	1261
..... <i>Correspondence with Great Britain, &c. M. Pacifico's Claims on Greece, for Loss of Documents connected with his Claims on Portugal.....</i>	1850, 1851. 617
..... <i>with Great Britain. Slave Trade..</i>	1850, 1851. 303
..... <i>Affairs of Duchies of Schleswig and Holstein.</i>	1848. 1252
..... <i>Decree. Promulgation of Treaty of Commerce and Navigation with Sardinia, of 5th November, 1850.</i>	
Paris, 10th February, 1851.	1237
..... <i>Execution of Treaty of Commerce and Navigation with Sardinia, of 5th November, 1850.</i>	
Paris, 10th February, 1851.	1244
..... <i>Execution of Articles III and V of Convention of Commerce and Navigation with Sardinia, of 5th November, 1850.....</i>	Paris, 10th February, 1851. 1246
..... <i>Promulgation of Additional Convention of Commerce and Navigation with Sardinia, of 20th May, 1851.</i>	
Paris, 17th July, 1851.	1248
..... <i>Execution of Additional Convention of Commerce and Navigation with Sardinia, of 20th May, 1851.</i>	
Paris, 19th July, 1851.	1247
..... <i>Law. Budget of Expenditure for 1851....</i>	Paris, 29th July, 1850. 643
..... <i>Budget of Receipts for 1851.....</i>	Paris, 7th August, 1850. 667
..... <i>Message of President. Opening of National Legislative Assembly.</i>	
Paris, 4th November, 1851.	863
..... TREATIES, &c. with FOREIGN POWERS, viz.:—with	
..... <i>Great Britain. Convention. Copyright.</i>	
Paris, 3rd November, 1851.	27
..... <i>Procès Verbal on Exchange of Ratifications. Do.</i>	
Paris, 8th January, 1852.	40
..... <i>Sardinia Treaty. Commerce. Navigation.</i>	
Turin, 5th November, 1850.	1237
..... <i>Do..... Additional Convention. Commerce.</i>	
Turin, 20th May, 1851.	1248
FRANKFORT. TREATIES, &c. with FOREIGN POWERS, viz.:—with	
..... <i>Netherlands, &c. Treaty. Commerce. Navigation. The Hague, 31st December, 1851.</i>	1109

FRANKFORT. TREATIES, &c. with FOREIGN POWERS, <i>cont.</i> , viz. :—with	
..... <i>Sardinia, &c. Additional Convention. Commerce. Navigation.</i>	
Turin, 20th May, 1851.	1194
See also GERMANY.	

G.

GABOON. Convention with Great Britain. Amity. Commerce.	
King William's Town, 10th November, 1840.	887
GALLINAS. Oath. Abolition of the Slave Trade....Mina, 28th January, 1850.	256
..... Treaty with Great Britain. Slave Trade. Commerce.	
Dumbacorro, 21st November, 1840.	888
GERMANY. Correspondence and Documents. Affairs of Duchies of Schleswig and Holstein	1844—1848. 1250
..... Declaration of Diet. Slave Trade....Frankfort, 3rd February, 1843.	952
..... (Danish.) Blockade of German Ports.	
Copenhagen, 29th April, 1848.	1298
..... Protocol of Conference between Commissioners of Denmark, Germany, Schleswig and Holstein. New Collective Government for Duchies.....	Gottorff, 22nd October, 1848. 1344
..... Resolution of Diet. Punishment of Slave Trade as Piracy.	
Frankfort, 19th June, 1845.	953
..... Affairs of Duchy of Holstein.	
Frankfort, 17th September, 1846.	1268
..... Federal Rights of Duchy of Holstein; and Union with Schleswig.	
Frankfort, 4th April, 1848.	1281
..... Right of Holstein to remain united to Schleswig; and Recognition of Provisional Government....	Frankfort, 12th April, 1848. 1287
See also FRANKFORT.	
GIBRALTAR. Extension to, of Provisions of Treaty of Commerce and Navigation between Great Britain and Tuscany of 5th April, 1847.	Florence, 12th June, 1847. 947
GREAT BRITAIN. Accounts. (Finance.) Public Income:	
..... United Kingdom	1851. 96
..... Great Britain	1851. 98
..... Ireland	1851. 100
..... United Kingdom:	
..... Total Income and Expenditure	1851. 102
..... Net Income and Expenditure	1851. 104
National Debt. Receipts and Expenditure of Commissioners	1851. 106
..... Unredeemed Funded Debt, created and reduced.	
5th January, 1852.	108
..... Public Funded Debt.	
5th January, 1852.	112
..... Unfunded Debt.	
5th January, 1852.	116

		Page
GREAT BRITAIN.	<i>Accounts. (Trade.) United Kingdom</i> 1849 to 1851.	117
	..... <i>Great Britain ..</i> do.	117
	..... <i>Ireland</i> do.	118
	..... <i>(Navigation.) United Kingdom....</i> do.	118
	..... <i>Great Britain.....</i> do.	119
	..... <i>Ireland</i> do.	119
.....	<i>Act. Guarantee of Duchy of Schleswig to Denmark.</i>	
	Fredericksburg, 23rd July, 1720.	1262
.....	<i>Act of Parliament. Extension of Provisions of Designs</i>	
	<i>Act, 1850. Protection from Piracy</i>	
	<i>to Persons exhibiting new Inven-</i>	
	<i>tions in Exhibition of 1851.</i>	
	11th April, 1851.	845
.....	<i>Prevention of Assumption of certain</i>	
	<i>Ecclesiastical Titles in respect of</i>	
	<i>Places in the United Kingdom.</i>	
	1st August, 1851.	848
.....	<i>Settlement of Boundaries between</i>	
	<i>Canada and New Brunswick.</i>	
	7th August, 1851.	850
.....	<i>Amendment of Law of Evidence</i>	
	<i>Production of Treaties and Official</i>	
	<i>Documents in Courts of Law.</i>	
	7th August, 1851.	852
.....	<i>Correspondence with Greece, &c. M. Pacifico's Claims</i>	
	<i>on Greece for Loss of Documents con-</i>	
	<i>nected with his Claims on Portugal,</i>	
	1850, 1851.	61
.....	<i>with Prussia and Turkey. Condition of</i>	
	<i>Protestants in Turkey ..</i> 1850, 1851.	221
.....	<i>with Russia. Affairs of Greece, previous</i>	
	<i>to Treaty of July 6, 1827....</i> 1823—1827.	1204
.....	<i>with 2 Sicilies. Alleged Atrocities of</i>	
	<i>Neapolitan Army in Sicily.</i> 1848.	715
.....	<i>with Turkey, &c. Refugees from Hun-</i>	
	<i>gary within Turkish Dominions ..</i> 1851.	121
.....	<i>with United States. Central America,</i>	
	1849—1851.	953
.....	<i>and Documents. Affairs of Duchies of</i>	
	<i>Schleswig and Holstein ..</i> 1844—1848.	1250
.....	<i>relative to the SLAVE TRADE, 1850, 1851.</i>	
	See SLAVE TRADE.	
.....	<i>Notification. Raising of Danish Restrictions on the Navi-</i>	
	<i>gation of the Eyder.</i>	
	London, 30th January, 1851.	857
.....	<i>Turkish Blockade of Ports and Coasts of</i>	
	<i>Samos ...</i> London, 11th February, 1851.	857
.....	<i>British Embargo on all Traffic in Port of</i>	
	<i>"The Union," and Blockade of Coast of</i>	
	<i>Salvador</i> London, 8th March, 1851.	858
.....	<i>Raising of Turkish Blockade of Ports and</i>	
	<i>Coasts of Samos.</i>	
	London, 22nd May, 1851.	858

	Page
GREAT BRITAIN. <i>Order in Council. Consular Fee on Certificates of Ship- ment, Discharge, or Desertion of British Seamen in Foreign Ports.</i>	
London, 14th April, 1851.	858
..... <i>Suspension in British Guiana of Pro- hibitions against Foreign Reprints of British Books entitled to Copy- right...Windsor, 23rd October, 1851.</i>	860
..... <i>Protocol of Conference with Portugal. Renewal for 3 years of Permission to Vessels of Great Britain to enter Portuguese Rivers and Creeks on East Coast of Africa, for Suppression of Slave Trade...London, 19th November, 1850.</i>	242
..... <i>of Conference with Russia. Settlement of Differences between Greece and Turkey.</i>	
St. Petersburg, ^{23rd March,} _{4th April,} 1826.	1206
..... <i>Speech of The Queen. Opening of Parliament.</i>	
4th February, 1851.	1
..... <i>of The Queen. Closing of Parliament.</i>	
8th August, 1851.	2
..... TREATIES, &c. with FOREIGN POWERS, &c., viz. :—with	
..... <i>Africa (West). Treaties, &c.</i>	
1840—1849.	261, 266, 885
..... <i>Belgium. Treaty. Commerce. Navigation.</i>	
London, 27th October, 1851.	4
..... <i>Additional Article. Ionian Islands.</i>	
London, 27th October, 1851.	14
..... <i>Declaration on Exchange of Ratifi- cations...London, 7th April, 1852.</i>	15
..... <i>Equator. Treaty. Friendship. Commerce.</i>	
Navigation. Quito, 3rd May, 1851.	18
..... <i>France. Convention. Copyright.</i>	
Paris, 3rd November, 1851.	27
..... <i>Procès Verbal on Exchange of Ratifi- cations...Paris, 8th January, 1852.</i>	40
..... <i>Muscat. Letter. Permission to British Ships of War to enter Rivers and Creeks.</i>	
Slave Trade. ....6th May, 1850.	269
..... <i>Netherlands. Convention. Navigation.</i>	
London, 27th March, 1851.	41
..... <i>New Granada. Treaty. Slave Trade.</i>	
Bogotá, 2nd April, 1851.	45
..... <i>Oldenburg. Convention. Postal.</i>	
London, 3rd November, 1842.	949
..... <i>Peru. Convention. Postal.</i>	
Lima, 13th August, 1851.	60
..... <i>Portugal. Protocol. British Ships of War.</i>	
Permission to enter Rivers and Creeks on East Coast of Africa Slave Trade.	
London, 19th November, 1850.	242
..... <i>Sandwich Islands. Treaty. Friendship. Com- merce. Navigation.</i>	
Honolulu, 10th July, 1851.	71

	Page
GREAT BRITAIN. TREATIES, &c. with FOREIGN POWERS, cont., viz. :—with	
<i>Sardinia. Convention. Navigation.</i>	
London, 23rd January, 1851.	78
..... <i>Treaty. Commerce. Navigation.</i>	
London, 27th February, 1851.	81
..... <i>Declaration. Ionian Islands.</i>	
London, 8th April, 1851.	94
..... <i>Tuscany. Treaty. Commerce. Navigation.</i>	
Florence, 5th April, 1847.	942
..... <i>Declaration. Malta and Gibraltar.</i>	
Florence, 12th June, 1847.	947
See also PROTOCOL.	
GREECE. Additional Convention with Netherlands. Commerce. Navigation	
..... Athens, $\frac{1}{30}$ th June, 1851.	1164
..... <i>Correspondence with Great Britain. M. Pacifico's Claims on</i>	
<i>Greece for loss of Documents connected with</i>	
<i>his Claims on Portugal</i> 1850, 1851.	617
..... <i>Great Britain and Russia. Affairs of Greece</i>	
<i>previous to Treaty of 6th July, 1827.</i>	
	1823—1827. 1204
GUATEMALA. Treaty with Hanse Towns. Friendship. Commerce. Navigation	
..... Guatemala, 25th June, 1847.	1359
GUIANA. British. Order in Council (British). Suspending Prohibitions	
<i>against Foreign Reprints of British Books entitled to</i>	
<i>Copyright</i> Windsor, 23rd October, 1851.	860

H.

HAMBURGH. TREATIES, &c. with FOREIGN POWERS, viz. :—with	
..... <i>Costa Rica. Treaty. Commerce. Navigation.</i>	
Guatemala, 10th March, 1848.	1367
..... <i>Guatemala. Treaty. Friendship. Commerce.</i>	
<i>Navigation.</i>	
Guatemala, 25th June, 1847.	1359
..... <i>Sardinia. Treaty. Commerce. Navigation.</i>	
Paris, 29th April, 1851.	1189
HANOVER. Declarations with Sardinia. Abolition of Differential Duties.	
Turin, 12th July,	
Paris, 10th August,	1850. 1132
HANSE TOWNS. TREATIES, &c. with FOREIGN POWERS, viz. :—with	
..... <i>Costa Rica. Treaty. Commerce. Navigation.</i>	
Guatemala, 10th March, 1848.	1367
..... <i>Guatemala. Treaty. Friendship. Commerce.</i>	
<i>Navigation.</i>	
Guatemala, 25th June, 1847.	1359
..... <i>Sardinia. Treaty. Commerce. Navigation.</i>	
Paris, 29th April, 1851.	1189
HESSE-CASSEL. TREATIES, &c. with FOREIGN POWERS, viz. :—with	
..... <i>Netherlands, &c. Treaty. Commerce. Navigation.</i>	
The Hague, 31st December, 1851.	1109

HESSE-CASSEL.	TREATIES, &c. with FOREIGN POWERS, <i>cont.</i> , viz.:—with	
	..... Sardinia, &c. <i>Additional Convention. Commerce. Navigation.</i>	
	Turin, 20th May, 1851.	1194
HESSE-DARMSTADT.	TREATIES, &c. with FOREIGN POWERS, viz.:—with	
	..... Netherlands, &c. <i>Treaty. Commerce. Navigation.</i>	
	The Hague, 31st December, 1851.	1109
	..... Sardinia, &c. <i>Additional Convention. Commerce. Navigation.</i>	
	Turin, 20th May, 1851.	1194
HOHENZOLLERN-SIGMARINGEN.	<i>Proclamation of Prince. Resignation of Rights of Sovereignty in favour of King of Prussia..Sigmaringen, 6th April, 1850.</i>	1355
HOLSTEIN.	<i>See DENMARK.</i>	
HUNGARY.	<i>Correspondence. Great Britain, Austria, and Turkey. Refugees from Hungary within Turkish Dominions</i>	1851. 121

I.

INSTRUCTIONS. *See CORRESPONDENCE.*

IONIAN ISLANDS.	<i>Act of Ionian Parliament. British Diplomatic and Consular Jurisdiction over Ionians in Ottoman Dominions</i>	Corfu, 1st April, 1845. 940
....	<i>of Do. Correction of Error in Act of 1st April, 1845. Do</i>	Corfu, 20th August, 1845. 941
....	<i>of Do. Execution of Treaty of Commerce and Navigation between Great Britain and Tuscany, of 5th April, 1847.....</i>	Corfu, 24th April, 1847. 948
.....	<i>Additional Article. Great Britain and Belgium. Extension to, of Provisions of Treaty of 27th October, 1851.</i>	London. 27th October, 1851. 14
.....	<i>Declaration. Great Britain and Sardinia. Extension to, of Provisions of Treaty of Commerce and Navigation, of 27th February, 1851.</i>	
		London, 8th April, 1851. 94

L.

LAUENBURG. *See DENMARK.*

LAWS. (Belgium)	fixing the <i>Budget of Expenditure for 1851, viz. :</i>	
.....	<i>Dotations.....</i>	22nd April, 1850. 680
.....	<i>Finances.....</i>	4th June, 1850. 680
.....	<i>Public Debt.....</i>	4th June, 1850. 683
.....	<i>Non-Valeurs.....</i>	5th June, 1850. 686
.....	<i>Expenses.....</i>	5th June, 1850. 688
.....	<i>Ways and Means.....</i>	26th December, 1850. 689
.....	<i>Interior.....</i>	28th December, 1850. 695
.....	<i>Justice.....</i>	29th December, 1850. 702
.....	<i>Foreign Affairs</i>	30th December, 1850. 706
.....	<i>Public Works.....</i>	30th December, 1850. 708
.....	<i>War.....</i>	27th February, 1851. 713

	Page
LAWS. (<i>Brazil.</i>) <i>Prohibition to introduce Slaves into Province of Rio Grande</i>	18th October, 1850. 440
..... (<i>France.</i>) <i>Budget of Expenditure for 1851.</i> Paris, 29th July, 1850.	643
..... <i>Budget of Receipts for 1851.</i> Paris, 7th August, 1850.	667
..... (<i>Sweden.</i>) <i>Prevention of Slave Trade.</i>	
	Stockholm, 7th February, 1830. 1234
LETTERS PATENT. (<i>King of Denmark.</i>) <i>Accession to Throne.</i>	
	Copenhagen, 20th January, 1848. 1269
LIBERIA. <i>Act. Slave Trade</i>	20th December, 1849. 258
LIPPE. TREATIES, &c. with FOREIGN POWERS, viz.: - with	
..... <i>Netherlands, &c. Treaty. Commerce. Navigation.</i>	
	The Hague, 31st December, 185. 1109
..... <i>Sardinia, &c. Additional Convention. Commerce. Navigation.</i>	
	Turin, 20th May, 1851. 1194
LUBECK. TREATIES, &c., with FOREIGN POWERS, viz.: - with	
..... <i>Costa Rica. Treaty. Commerce. Navigation.</i>	
	Guatemala, 10th March, 1848. 1367
..... <i>Guatemala. Treaty. Friendship. Commerce. Navigation</i>	Guatemala, 25th June, 1847. 1359
..... <i>Sardinia. Treaty. Commerce. Navigation.</i>	
	Paris, 29th April, 1851. 1189
LUXEMBURG. TREATIES, &c., with FOREIGN POWERS, viz.: - with	
..... <i>Netherlands, &c. Treaty. Commerce. Navigation.</i>	
	The Hague, 31st December, 1851. 1109
..... <i>Sardinia, &c. Treaty. Commerce. Navigation.</i>	
	Turin, 20th May, 1851. 1194

M.

MALAGHEA. <i>Treaty with Great Britain. Peace. Friendship. Slave Trade. Commerce.</i>	Malaghea, 23rd May, 1845. 930
MALTA. <i>Extension of Provisions of Treaty of Commerce and Navigation between Great Britain and Tuscany of 5th April, 1847.</i>	
	Florence, 12th June, 1847. 947
MECKLENBURG-SCHWERIN. TREATIES, &c. with FOREIGN POWERS, viz.:	
..... with —	
..... <i>Netherlands, &c. Treaty. Commerce. Navigation.</i>	
	The Hague, 31st December, 1851. 1109
..... <i>Sardinia, &c. Treaty. Commerce. Navigation.</i>	
	Turin, 20th May, 1851. 1194
MESSAGE of President. (<i>France.</i>) <i>Opening of National Legislative Assembly</i>	Paris, 4th November, 1851. 863
..... of President. (<i>United States.</i>) <i>Opening of Congress.</i>	
	Washington, 2nd December, 1851. 160
MORICARYAH. <i>Treaty with Great Britain. Peace. Friendship. Slave Trade. Commerce</i>	Kontaigh, 20th May, 1845. 927
MOSQUITO. <i>Correspondence between Great Britain and United States. Central America</i>	1849—1851. 953
MUSCAT. <i>Correspondence with Great Britain. Slave Trade.</i> ...	1850, 1851. 303
..... <i>Letter of Imaum. Permission to British Vessels of War to enter Rivers and Creeks in his Dominions for Suppression of the Slave Trade.</i> ...	6th May, 1850. 269

N.

	Page
NASSAU. TREATIES, &c. with FOREIGN POWERS, viz. :—with	
..... <i>Netherlands, &c. Treaty. Commerce. Navigation.</i>	
..... The Hague, 31st December, 1851.	1109
..... <i>Sardinia, &c. Treaty. Commerce. Navigation.</i>	
..... Turin, 20th May, 1851.	1194
NETHERLANDS. <i>Speech of the King. Opening of States-General.</i>	
..... The Hague, 15th September, 1851.	882
..... TREATIES, &c. with FOREIGN POWERS, viz. :—with	
..... <i>Belgium. Treaty. Commerce. Navigation.</i>	
..... The Hague, 20th September, 1851.	1173
..... <i>Great Britain. Convention. Navigation.</i>	
..... London, 27th March, 1851.	41
..... <i>Greece. Additional Convention. Commerce.</i>	
..... <i>Navigation</i> Athens, $\frac{18}{30}$ th June, 1851.	1164
..... <i>Prussia, &c. Treaty. Commerce. Navigation.</i>	
..... The Hague, 31st December, 1851.	1109
..... <i>Sardinia. Treaty. Commerce. Navigation.</i>	
..... Turin, 24th June, 1851.	1165
NEW BRUNSWICK. <i>Act of Parliament (British). Boundaries. Canada.</i>	
..... 7th August, 1851.	850
NEW CESTOS. <i>Treaty with Great Britain. Slave Trade. Commerce.</i>	
..... New Cestos, 11th January, 1841.	889
NEW GRANADA. <i>Act of Congress of Colombia. Slave Trade. Piracy.</i>	
..... Bogotá, 14th February, 1825.	1162
..... TREATIES, &c. with FOREIGN POWERS, viz. :—with	
..... <i>Great Britain. Treaty. Slave Trade.</i>	
..... Bogotá, 2nd April, 1851.	45
..... <i>Sardinia. Declarations. Abolition of Differ-</i>	
..... <i>ential Dues</i> Turin, 12th July, 1850.	1134
..... Bogotá, 11th October,	
NICARAGUA. <i>Contract. American Atlantic and Pacific Ship Canal Com-</i>	
..... <i>pany.</i> Leon, 27th August, 1849.	980
..... <i>Correspondence. Great Britain and United States. Central</i>	
..... <i>America</i> 1849—1851.	953
..... <i>Decree of President. Temporary Cession of Island of Tigre</i>	
..... <i>to United States.</i> 9th October, 1849.	999
..... <i>Protocol of Conference with United States. Temporary Ces-</i>	
..... <i>ssion of Island of Tigre to United States.</i>	
..... Leon, 28th September, 1849.	998
..... TREATIES, &c. with FOREIGN POWERS, viz. :—with	
..... <i>United States. Convention. Pacific Canal [not</i>	
..... <i>ratified]. Guatemala, 21st June, 1849.</i>	969
..... <i>(do.)..... Treaty. Amity. Commerce. Na-</i>	
..... <i>avigation [not ratified].</i>	
..... Leon, 3rd September, 1849.	1052
NOTIFICATION. <i>See BLOCKADE.</i>	
NYANIBANTANG. <i>Treaty with Great Britain. Slave Trade. Commerce.</i>	
..... MacCarthy's Island, 31st December, 1842.	913

O.

	Page
OFFICIAL DOCUMENTS. <i>Act of Parliament (British). Production in Courts of Law</i>	7th August, 1851. 852
OLDENBURG. <i>Protest of Duke against Danish Royal Rescript of July 8, 1846. Succession to Duchies of Schleswig and Holstein.</i>	Hamburgh, 18th July, 1846. 1264
..... TREATIES, &c. with FOREIGN POWERS, viz. with	
..... <i>Great Britain. Postal.</i>	
	London, 3rd November, 1842. 949
..... <i>Netherlands, &c. Treaty. Commerce. Navigation</i>	The Hague, 31st December, 1851. 1109
..... <i>Sardinia. Declarations. Abolition of Differential Dues</i>	Turin, 12th July, _____ 1850. 1131
	Oldenburg, 1st August,
..... <i>Sardinia, &c. Additional Convention. Commerce. Navigation</i>	Turin, 20th May, 1851. 1194
ORDER. <i>See</i> BRAZIL.	
ORDERS IN COUNCIL. <i>See</i> GREAT BRITAIN.	
ORDINANCE. <i>See</i> SWEDEN.	

P.

PACIFIC CANAL. <i>See</i> NICARAGUA.	
PACIFICO, M. <i>Correspondence between Great Britain and Greece, &c. Claims on Greece for loss of Documents connected with his Claims on Portugal</i>	1850, 1851. 617
PAPEL. <i>Treaty with Great Britain. Commerce</i>	Bissao, 1st April, 1842. 909
PERSIA. <i>Correspondence with Great Britain. Slave Trade</i>	1850, 1851. 303
PERU. TREATIES, &c. with FOREIGN POWERS, viz. :—with	
..... <i>Great Britain. Convention. Postal.</i>	
	Lima, 13th August, 1851. 60
..... <i>United States. Treaty. Friendship. Commerce. Navigation</i>	Lima, 26th July, 1851. 1095
PORTARIA. (<i>Portugal.</i>) <i>Coasting Trade of Angola.</i>	
	Loanda, 24th June, 1848. 537
PORTUGAL. <i>Convention with United States. Claims.</i>	
	Washington, 26th February, 1851. 1088
..... <i>Correspondence with Great Britain. Slave Trade.</i>	
	1850, 1851. 231, 304
..... with <i>Great Britain. M. Pacifico's Claims on Greece for loss of Documents connected with his Claims on Portugal</i> ...	1850, 1851. 617
..... <i>Portaria of Governor-General of Angola. Coasting Trade.</i>	
	Loanda, 24th June, 1848. 537
..... <i>Protocol of Conference with Great Britain. Renewal for 3 years of Permission to Vessels of Great Britain to enter Portuguese Rivers and Creeks on East Coast of Africa, for Suppression of Slave Trade</i>	London, 19th November, 1850. 242
PROCLAMATION (<i>Denmark</i>) of King. <i>Relation of Duchies of Schleswig, Holstein, and Lauenburg to Denmark and Germanic Confederation.</i>	
	Plön, 18th September, 1846. 1268

	Page
PROCLAMATION (Denmark) of Provisional Government of Schleswig-Holstein against the Proceedings of King of Denmark	Kiel, 24th March, 1848. 1272
... (do.).... of King. Relation of Schleswig to Denmark, and of Holstein to Germanic Confederation ..	Christiansborg, 24th March, 1848. 1273
....(do.).... of Provisional Government of Rendsburg, calling on Inhabitants of Schleswig-Holstein to send Troops for the Defence of the Country.	Rendsburg, 24th March, 1848. 1275
....(do.).... of King. Joint Constitution for Denmark and Schleswig, and Separate Constitution for Holstein.	Christiansborg, 27th March, 1848. 1276
....(do.).... of King. Usurpation of Authority in Duchies of Schleswig and Holstein by Provisional Government.	Copenhagen, 29th March, 1848. 1276
....(do.) ... of King, calling on Inhabitants of Duchy of Holstein to return to their Allegiance.	Copenhagen, 29th March, 1848. 1277
....(do.).... of Duke of Augustenburg. Rights of Duchies of Schleswig and Holstein.	Rendsburg, 31st March, 1848. 1277
....(do.).... of King. Maintenance of Rights to Duchy of Schleswig ...	Sonderberg, 6th April, 1848. 1283
....(do.).... of Provisional Government of Schleswig-Holstein. Renewal of Hostilities.	Rendsburg, 25th July, 1848. 1329
....(do.).... of Temporary Government Commission for Duchies of Schleswig and Holstein. Sovereign Power.	Sondersburg, 18th September, 1848. 1340
....(do).... of Provisional Government of Schleswig-Holstein, denouncing Royal Commission appointed for the Duchies.	Rendsburg, 22nd September, 1848. 1341
....(do.).... of Government against Proceedings of Common Government of Duchies for Schleswig and Holstein..	15th November, 1848. 1348
....(do.).... of King. Illegal Acts of Common Government for Duchies of Schleswig and Holstein.	Fredericksburg, 17th December, 1848. 1352
..... (Hohenzollern-Sigmaringen.) Incorporation with Prussian Dominions ...	Sigmaringen, 6th April, 1850. 1355
..... (Prussia.) Incorporation of Principality of Hohenzollern-Sigmaringen with Prussian Dominions.	Charlottenburg, 12th March, 1850. 1358
PROTESTS. See DENMARK.	
PROTOCOL of Conference. Denmark and German Confederation. New Collective Government for Duchies of Schleswig and Holstein.	Gottorff, 22nd October, 1848. 1344

	Page
PROTOCOL of Conference. <i>Great Britain and Portugal. Renewal for 3 Years of Permission to Vessels of Great Britain to enter Portuguese Rivers and Creeks on East Coast of Africa for Suppression of Slave Trade.</i> London, 19th November, 1850.	242
..... of Conference. <i>Great Britain and Russia. Settlement of Differences between Greece and Turkey.</i> St. Petersburg, ^{23rd March,} _{4th April,} 1826.	1206
..... of Conference. <i>Nicaragua and United States. Temporary Cession of Island of Tigre to United States.</i> Leon, 28th September, 1849.	998
PRUSSIA. <i>Correspondence, &c. Affairs of Duchies of Schleswig and Holstein</i>.....1844—1848.	1250
..... <i>Correspondence, &c., with Great Britain and Turkey. Condition of Protestants in Turkey</i>.....1850, 1851.	221
..... <i>Proclamation of King. Incorporation of Principality of Hohenzollern-Sigmaringen with Prussian Dominions.</i> Charlottenburg, 12th March, 1850.	1358
..... TREATIES, &c. with FOREIGN POWERS, viz. :—with <i>Denmark. Convention. Armistice.</i> Malmoë, 26th August, 1848.	1333
..... <i>Netherlands, &c. Treaty. Commerce. Navigation.</i> The Hague, 31st December, 1851.	1109
..... <i>Sardinia, &c. Additional Convention. Commerce. Navigation.</i>.....Turin, 20th May, 1851.	1194
PYRMONT. <i>See</i> WALDECK.	

R.

RENDSBURG. <i>See</i> DENMARK.	
REPORTS. (<i>United States</i>). <i>Secretary of War</i>.....29th November, 1851.	188
..... <i>Secretary of Navy</i>.....29th November, 1851.	201
RESCRIPTS. <i>See</i> DENMARK.	
RESOLUTION. <i>See</i> GERMANY.	
REUSS-GREITZ. TREATIES, &c. with FOREIGN POWERS, viz. :—with <i>Netherlands, &c. Treaty. Commerce. Navigation.</i> The Hague, 31st December, 1851.	1109
..... <i>Sardinia, &c. Additional Convention. Commerce. Navigation</i>.....Turin, 20th May, 1851.	1194
REUSS-LOBENSTEIN-EBERSDORF. TREATIES, &c. with FOREIGN POWERS, viz. :—with <i>Netherlands, &c. Treaty. Commerce. Navigation.</i> The Hague, 31st December, 1851.	1109
..... <i>Sardinia, &c. Additional Convention. Commerce. Navigation.</i> Turin, 20th May, 1851.	1194
REUSS-SCHLEITZ. TREATIES, &c. with FOREIGN POWERS, viz. :—with <i>Netherlands, &c. Treaty. Commerce. Navigation.</i> The Hague, 31st December, 1851.	1109

REUSS-SCHLEITZ, TREATIES, &c., with FOREIGN POWERS, <i>cont.</i> , viz. :—with	
..... Sardinia, &c. Additional Convention.	
Commerce. Navigation.	
Turin, 20th May, 1851.	1194
RIO GRANDE DO SUL. Law. Prohibition to introduce Slaves into Province of.....	18th October, 1850. 44
RUSSIA. Correspondence with Great Britain. Affairs of Greece, previous to Treaty of 6th July, 1827	1823—1827. 1204
..... with Prussia, &c. Affairs of Schleswig and Holstein.....	1848. 1251
..... Protocol of Conference with Great Britain. Settlement of Differences between Greece and Turkey.	
St. Petersburg, ^{23rd March,} _{4th April,}	1826. 1206

S.

SALVADOR. Notification. (British). British Blockade of Coast.	
London, 8th March, 1851.	858
SAMO. Treaty with Great Britain. Peace. Friendship. Slave Trade. Commerce	Köntaigh, 20th May, 1845. 927
SAMOS. Notification. (British). Turkish Blockade of,	
London, 11th February, 1851.	857
..... (do.).... Turkish Blockade Raised.	
London, 22nd May, 1851.	858
SANDWICH ISLANDS. Treaty with Great Britain. Friendship. Commerce. Navigation. Honolulu, 10th July, 1851.	71
SARDINIA. Correspondence with Great Britain. Slave Trade.....	1851. 307
..... Decree. (French.) Promulgation of Treaty of Commerce and Navigation of 5th November, 1850.	
Paris, 10th February, 1851.	1237
....(do.).... Execution of Treaty of Commerce and Navigation of 5th November, 1850.	
Paris, 10th February, 1851.	1244
....(do.).... Execution of Articles III and V of Convention of 5th November, 1850.	
Paris, 10th February, 1851.	1246
....(do.).... Promulgation of Additional Convention of Commerce and Navigation of 20th May, 1851.....	Paris, 17th July, 1851. 1248
*(do.) .. Execution of Additional Convention of Commerce and Navigation of 20th May, 1851.	Paris, 19th July, 1851. 1247
..... TREATIES, &c. with FOREIGN POWERS, viz. :—with	
..... Belgium. Treaty. Commerce. Navigation.	
Turin, 24th January, 1851.	149
..... Brazil. Declarations. Abolition of Differential Dues	Rio de Janeiro, ^{24th July, 1848,} _{24th May, 1849.} 1128
..... Denmark. Declarations. Abolition of Differential Dues	Turin, 12th July, ^{Copenhagen, 11th September, 1850. 1133}
..... France. Treaty. Commerce. Navigation.	
Turin, 5th November, 1850.	1237

	Page
SARDINIA. TREATIES, &c. with FOREIGN POWERS, cont., viz. :—with	
..... <i>France. Additional Convention. Commerce. Navigation</i> Turin, 20th May, 1851.	1248
..... <i>Great Britain. Convention. Navigation.</i>	
London, 23rd January, 1851.	78
..... <i>Do. Treaty. Commerce. Navigation.</i>	
London, 27th February, 1851.	81
..... <i>Do. Declaration. Ionian Islands.</i>	
London, 8th April, 1851.	94
..... <i>Hanover. Declarations. Abolition of Differential</i>	
<i>Dues</i> Turin, 12th July, 1850.	1132
Paris, 10th August,	
..... <i>Hanse Towns. Treaty. Commerce. Navigation.</i>	
Paris, 29th April, 1851.	1189
..... <i>Netherlands. Treaty. Commerce. Navigation.</i>	
Turin, 24th June, 1851.	1165
..... <i>New Granada. Declarations. Abolition of Dif-</i>	
<i>ferential Dues</i> Turin, 12th July, 1850.	1134
Bogota, 11th October,	
..... <i>Oldenburg. Declarations. Abolition of Differen-</i>	
<i>tial Dues</i> Turin, 12th July,	1131
Oldenburg, 1st August,	
..... <i>Prussia, &c. Additional Convention. Commerce.</i>	
<i>Navigation</i> Turin, 20th May, 1851.	1194
..... <i>Spain. Convention. Execution of Sentences in</i>	
<i>Civil Suits.</i> Madrid, 30th June, 1851.	1202
..... <i>Sweden. Declarations. Abolition of Differential</i>	
<i>Dues</i> Turin, 12th July,	1129
Stockholm, 30th July,	
..... <i>Switzerland. Treaty. Commerce.</i>	
Turin, 8th June, 1851.	1196
SAXE-ALTENBURG. TREATIES, &c. with FOREIGN POWERS, viz. :—with	
..... <i>Netherlands, &c. Treaty. Commerce. Navigation.</i>	
The Hague, 31st December, 1851.	1109
..... <i>Sardinia, &c. Additional Convention. Commerce.</i>	
<i>Navigation</i> Turin, 20th May, 1851.	1194
SAXE-COBURG-GOTHA. TREATIES, &c. with FOREIGN POWERS, viz. :—with	
..... <i>Netherlands, &c. Treaty. Commerce. Navigation.</i>	
The Hague, 31st December, 1851.	1109
..... <i>Sardinia, &c. Additional Convention. Commerce.</i>	
<i>Navigation</i> Turin, 20th May, 1851.	1194
SAXE-MEININGEN. TREATIES, &c. with FOREIGN POWERS, viz. :—with	
..... <i>Netherlands, &c. Treaty. Commerce. Navigation.</i>	
The Hague, 31st December, 1851.	1109
..... <i>Sardinia, &c. Additional Convention. Commerce.</i>	
<i>Navigation</i> Turin, 20th May, 1850.	1194
SAXE-WEIMAR-EISENACH. TREATIES, &c. with FOREIGN POWERS,	
viz. :—with	
..... <i>Netherlands, &c. Treaty. Commerce. Navigation.</i>	
The Hague, 31st December, 1851.	1109
..... <i>Sardinia, &c. Additional Convention. Commerce.</i>	
<i>Navigation</i> Turin, 20th May, 1851.	1194
SAXONY. TREATIES, &c. with FOREIGN POWERS, viz. :—with	
..... <i>Netherlands, &c. Treaty. Commerce. Naviga-</i>	
<i>tion</i> The Hague, 31st December, 1851.	1109

SAXONY. TREATIES, &c., with FOREIGN POWERS, <i>cont.</i> , viz.:—with	
..... Sardinia, &c. <i>Additional Convention. Commerce.</i>	
..... <i>Navigation</i>	Turin, 20th May, 1851. 1194
SCHLESWIG. <i>See</i> DENMARK.	
SCHWARTZBURG-RUDOLSTADT. TREATIES, &c. with FOREIGN POWERS,	
viz.—with	
..... Netherlands, &c. <i>Treaty. Commerce. Navigation.</i>	
.....	The Hague, 31st December, 1851. 1109
..... Sardinia, &c. <i>Additional Convention. Commerce.</i>	
..... <i>Navigation</i>	Turin, 20th May, 1851. 1194
SCHWARTZBURG-SONDERHAUSEN. TREATIES, &c. with FOREIGN POWERS,	
viz.:—with	
..... Netherlands, &c. <i>Treaty. Commerce. Navigation.</i>	
.....	The Hague, 31st December, 1851. 1109
..... Sardinia, &c. <i>Additional Convention. Commerce.</i>	
..... <i>Navigation</i>	Turin, 20th May, 1851. 1194
SICILIES. <i>Correspondence. Atrocities of Neapolitan Army in Sicily.</i>	
	1848. 715
SLAVE TRADE. <i>Act. (Liberia.) Prevention of</i>	
	20th December, 1849. 258
..... <i>Correspondence with British Commissioners</i>	1850, 1851.
..... Sierra Leone	231
..... Havana	231
..... Cape of Good Hope	231
..... Loanda	231
..... Naval Officers	232
..... <i>Correspondence with Foreign Powers.</i>	1850, 1851.
..... Africa	297
..... Persia	303
..... Austria.....	298
..... Portugal	304
..... Belgium.....	298
..... Sardinia	307
..... Brazil.....	298
..... Spain.....	307
..... Denmark.....	302
..... Tripoli.....	308
..... France	303
..... Turkey.....	308
..... Muscat	303
..... United States	309
..... Venezuela.....	309
..... <i>Declaration. (German Diet.) Approval of Treaty between</i>	
..... Austria, France, Great Britain, Prussia, and Russia of	
..... 20th December, 1841.....	Frankfort, 3rd February, 1843. 952
..... <i>Law. (Brazil.) Prohibition to introduce Slaves into Pro-</i>	
..... vince of Rio Grande do Sul,	
.....	18th October, 1850. 440
..... (Sweden.) <i>Prevention of Slave Trade.</i>	
.....	Stockholm, 7th February, 1830. 1234
..... <i>Letter of Imaum. (Muscat.) Permission to British Vessels</i>	
..... of War to enter Rivers and Creeks in his Do-	
..... minions for Suppression of the Slave Trade.	
.....	6th May, 1850. 269
..... <i>Order. (Brazil.) African Boatmen prohibited plying at</i>	
..... Quays of Bahia.	Bahia, 2nd November, 1850. 428
..... <i>Ordinance. (Sweden.) Suppression of Slave Trade.</i>	
.....	Stockholm, 1st March, 1830. 1236
..... <i>Protocol of Conference. (Great Britain and Portugal.)</i>	
..... <i>Renewal for 3 years of Permission to Vessels of Great</i>	
..... Britain to enter Portuguese Ports, &c., on East Coast of	
..... Africa, for Suppression of Slave Trade.	
.....	London, 19th November, 1850. 242

	Page
SLAVE TRADE. <i>Resolution. (German Diet.) Slave Trade. Piracy.</i>	
..... Frankfort, 19th June, 1845.	953
..... <i>Return. State of, on West Coast of Africa and adjacent Islands</i> St. Vincent, 5th February, 1850.	534
..... <i>Treaties. See AFRICA. (WEST COAST.)</i>	
SOLYMAN. <i>Agreement with Great Britain. (Oath.) Abolition of Slave Trade</i> Mina, 28th January, 1850.	256
SPAIN. <i>Convention with Sardinia. Execution of Sentences in Civil Suits.</i>	
..... Madrid, 30th June, 1851.	1202
..... <i>Correspondence with Great Britain relative to the Slave Trade.</i>	
..... 1850, 1851.	231, 307
SPEECH of King of Belgium <i>Opening of Chambers.</i>	
..... Brussels, 4th November, 1851.	861
..... of King of Denmark. <i>Opening of Constituent Assembly.</i>	
..... Copenhagen, 23rd October, 1848.	1345
..... of Queen of Great Britain. <i>Opening of Parliament.</i>	
..... 4th February, 1851.	1
..... of Queen of Great Britain. <i>Closing of Parliament.</i>	
..... 8th August, 1851.	2
..... of King of Netherlands. <i>Opening of States General.</i>	
..... The Hague, 15th September, 1851.	882
..... of King of Sweden. <i>Opening of Diet.</i>	
..... Stockholm, 4th September, 1851.	884
SWEDEN. <i>Correspondence with Prussia. Affairs of Schleswig and Holstein.</i>	
..... 1848.	1252
..... <i>Declaration. Aggression of Germany on Danish Duchy of Schleswig</i> Berlin, 9th May, 1848.	1301
..... <i>Declarations with Sardinia. Abolition of Differential Dues.</i>	
..... Turin, 12th July,	
..... Stockholm, 30th July,	1850. 1129
..... <i>Law. Prevention of Slave Trade.</i>	
..... Stockholm, 7th February, 1830.	1234
..... <i>Ordinance of King. Suppression of Slave Trade.</i>	
..... Stockholm, 1st March, 1830.	1236
..... <i>Speech of King. Closing of Diet.</i>	
..... Stockholm, 4th September, 1851.	884
SWITZERLAND. <i>Treaty with Sardinia. Commerce</i> Turin, 8th June, 1851.	1196

T.

THURINGIA. <i>TREATIES, &c. with FOREIGN POWERS, viz. :—with</i>	
..... Netherlands, &c. <i>Treaty. Commerce. Navigation</i> The Hague, 31st December, 1851.	1109
..... Sardinia, &c. <i>Additional Convention. Commerce. Navigation</i> Turin, 20th May, 1851.	1194
TIGRE ISLAND. <i>Decree. (Nicaragua.) Temporary Cession to United States.</i> 9th October, 1849.	999
..... <i>Protocol of Conference. Nicaragua and United States. Temporary Cession to United States.</i>	
..... Leon, 28th September, 1849.	998

	Page
TIMMANEES. <i>Treaty with Great Britain. Slave Trade. Commerce.</i>	
Port Logo, 13th February, 1841.	889
TREATIES. <i>Act of Parliament. (British.) Production in Courts of Law.</i>	
7th August, 1851.	852
TREATIES, CONVENTIONS, &c. between GREAT BRITAIN and FOREIGN POWERS. <i>See GREAT BRITAIN.</i>	
TREATIES, CONVENTIONS, &c. between FOREIGN POWERS, viz.:	
..... <i>Belgium and Netherlands. Treaty. Commerce.</i>	
..... <i>Navigation.</i>	
..... <i>The Hague, 20th September, 1851.</i>	1173
..... <i>Belgium and Sardinia. Treaty. Commerce. Navigation.</i>	
..... <i>Turin, 24th January, 1851.</i>	149
..... <i>Brazil, Entre Rios, and Uruguay. Convention.</i>	
..... <i>Offensive and Defensive Alliance.</i>	
..... <i>Monte Video, 29th May, 1851.</i>	1135
..... <i>Brazil and Sardinia. Declarations. Abolition of</i>	
..... <i>Differential Dues.</i>	
..... <i>Rio de Janeiro, ^{24th July, 1848.}_{24th May, 1849.}</i>	1128
..... <i>Brazil and Uruguay. Treaty. Alliance.</i>	
..... <i>Rio de Janeiro, 12th October, 1851.</i>	1141
..... <i>Do. do. Treaty. Commerce. Navigation.</i>	
..... <i>Rio de Janeiro, 12th October, 1851.</i>	1145
..... <i>Do. do. Treaty. Limits.</i>	
..... <i>Rio de Janeiro, 12th October, 1851.</i>	1151
..... <i>Do. do. Treaty. Pecuniary Assistance</i>	
..... <i>to Uruguay.</i>	
..... <i>Rio de Janeiro, 12th October, 1851.</i>	1154
..... <i>Do. do. Treaty. Surrender of Criminals, Deserters and Run-</i>	
..... <i>away Slaves.</i>	
..... <i>Rio de Janeiro, 12th October, 1851.</i>	1158
..... <i>Costa Rica and Hanse Towns. Treaty. Commerce.</i>	
..... <i>Navigation. Guatemala, 10th March, 1848.</i>	1367
..... <i>Costa Rica and United States. Treaty. Friendship.</i>	
..... <i>Commerce. Navigation.</i>	
..... <i>Washington, 10th July, 1851.</i>	1090
..... <i>Denmark and Prussia. Convention. Armistice.</i>	
..... <i>Malmö, 26th August, 1848.</i>	1333
..... <i>Denmark and Sardinia. Declarations. Abolition of</i>	
..... <i>Differential Dues.</i>	
..... <i>Turin, ^{12th July,}_{Copenhagen, 11th September,}</i>	1850. 1133
..... <i>France and Sardinia. Treaty. Commerce. Navigation.</i>	
..... <i>Turin, 5th November, 1850.</i>	1237
..... <i>France and Sardinia. Additional Convention. Com-</i>	
..... <i>merce. Navigation.</i>	
..... <i>Turin, 20th May, 1851.</i>	1248
..... <i>Greece and Netherlands. Additional Convention.</i>	
..... <i>Commerce. Navigation.</i>	
..... <i>Athens, ¹⁸₃₀th June, 1851.</i>	1164

TREATIES, CONVENTIONS, &c. between FOREIGN POWERS, <i>cont.</i> , viz. :—with		
.....	<i>Guatemala and Hanse Towns. Treaty. Friendship. Commerce. Navigation.</i>	
	Guatemala, 25th June, 1847.	1359
.....	<i>Hanover and Sardinia. Declarations. Abolition of Differential Dues</i>	1850. 1132
	Turin, 12th July, — Paris, 10th August,	
.....	<i>Hanse Towns and Sardinia. Treaty. Commerce. Navigation</i>	Paris, 29th April, 1851. 1189
.....	<i>Netherlands and Prussia, &c. Treaty. Commerce. Navigation.</i>	The Hague, 31st December, 1851. 1109
.....	<i>Netherlands and Sardinia. Treaty. Commerce. Navigation.</i>	Turin, 24th June, 1851. 1165
.....	<i>New Granada and Sardinia. Declarations. Abolition of Differential Dues.</i>	
	Turin, 12th July, Bogota, 11th October,	1850. 1134
.....	<i>Oldenburg and Sardinia. Declarations. Abolition of Differential Dues.</i>	
	Turin, 12th July, — Oldenburg, 1st August,	1850. 1131
.....	<i>Peru and United States. Treaty. Friendship. Commerce. Navigation.</i>	
	Lima, 26th July, 1851.	1095
.....	<i>Portugal and United States. Convention. Claims.</i>	
	Washington, 26th February, 1851.	1088
.....	<i>Prussia, &c., and Sardinia, Additional Convention. Commerce. Navigation.</i>	
	Turin, 20th May, 1851.	1194
.....	<i>Sardinia and Spain. Convention. Execution of Sentences in Civil Suits.</i>	
	Madrid, 30th June, 1851.	1202
.....	<i>Sardinia and Sweden. Declarations. Abolition of Differential Dues</i>	1850. 1129
	Turin, 12th July, Stockholm, 30th July,	
.....	<i>Sardinia and Switzerland. Treaty. Commerce.</i>	
	Turin, 8th June, 1851.	1196
TRIPOLI.	<i>Correspondence with Great Britain. Slave Trade.</i>	1850, 1851. 308
TURKEY.	<i>Correspondence with Great Britain. Slave Trade.</i>	1850, 1851. 308
	..... with Great Britain and Prussia. Condition of Protestants in Turkey.....	1850, 1851. 221
	..... with Great Britain, &c. Refugees from Hungary within Turkish Dominions.....	1851. 121
.....	<i>Firman of the Porte. Protestant Rayas.</i>	October, 1850. 226
TUSCANY.	TREATIES, &c., with FOREIGN POWERS, viz. with	
	..... <i>Great Britain. Treaty. Commerce. Navigation.</i>	
	Florence, 5th April, 1847.	942
	..... <i>Declaration. Malta and Gibraltar.</i>	
	Florence, 12th June, 1847.	947

U.

UNITED STATES.	<i>Contract. American Atlantic and Pacific Canal Company and Nicaragua</i>	Leon, 27th August, 1849. 980
.....	<i>Correspondence with Great Britain. Central America.</i>	1849—1851. 953

	Page
UNITED STATES. <i>Correspondence with Great Britain. Slave Trade.</i>	
1850, 1851.	309
..... <i>Decree (Nicaragua). Temporary Cession of Tigre Island to United States.</i>	9th October, 1849. 999
..... <i>Message of President. Opening of Congress.</i>	
Washington, 2nd December, 1851.	160
..... <i>Protocol of Conference with Nicaragua. Temporary Cession of Tigre Island to United States.</i>	
Leon, 28th September, 1849.	998
..... <i>Report. Secretary of War.</i>	29th November, 1851. 188
..... <i>Secretary of the Navy.</i>	29th November, 1851. 201
..... TREATIES, &c. with FOREIGN POWERS, viz.:—with	
..... <i>Costa Rica. Treaty. Friendship. Commerce. Navigation.</i>	
Washington, 10th July, 1831.	1090
..... <i>Nicaragua. Convention. Pacific Canal</i>	
[not ratified].	
Guatemala, 21st June, 1849.	969
Do. <i>Treaty. Amity. Commerce.</i>	
<i>Navigation</i> [not ratified].	
Leon, 3rd September, 1849.	1052
..... <i>Peru. Treaty. Friendship. Commerce.</i>	
<i>Navigation.</i> ..Lima, 26th July, 1851.	1095
..... <i>Portugal. Convention. Claims.</i>	
Washington, 26th February, 1851.	1088
URUGUAY. TREATIES, &c. with FOREIGN POWERS, viz.:—with	
..... <i>Brazil and Entre Rios. Convention. Offensive and Defensive Alliance.</i>	
Monte Video, 29th May, 1851.	1135
..... <i>Brazil. Treaty. Alliance.</i>	
Rio de Janeiro, 12th October, 1851.	1141
Do. <i>Treaty. Commerce. Navigation.</i>	
Rio de Janeiro, 12th October, 1851.	1145
Do. <i>Treaty. Limits.</i>	
Rio de Janeiro, 12th October, 1851.	1151
Do. <i>Treaty. Pecuniary Assistance to Uruguay.</i>	
Rio de Janeiro, 12th October, 1851.	1154
Do. <i>Treaty. Surrender of Criminals, Deserters, and Runaway Slaves.</i>	
Rio de Janeiro, 12th October, 1851.	1158

V.

VENEZUELA. <i>Act of Congress of Colombia. Slave Trade. Piracy.</i>	
Bogotá, 14th February, 1825.	1162
..... <i>Correspondence with Great Britain. Slave Trade.</i>	
1850, 1851.	309

W.

	Page
WALDECK. TREATIES, &c. with FOREIGN POWERS, viz. :—with	
..... Netherlands, &c. Treaty. Commerce. Navigation...The Hague, 31st December, 1851.	1109
..... Sardinia, &c. Additional Convention. Commerce. Navigation.	
	Turin, 20th May, 1851. 1194
WIRTEMBERG. TREATIES, &c. with FOREIGN POWERS, viz. :—with	
..... Netherlands, &c. Treaty. Commerce. Navigation..The Hague, 31st December, 1851.	1109
..... Sardinia, &c. Additional Convention. Commerce. Navigation.	
	Turin, 20th May, 1851. 1194
WOELLI. Treaty with Great Britain. Peace. Friendship. Slave Trade.	
Commerce..... Medina, 13th January, 1843.	920

Z.

ZOLLVEREIN. TREATIES, &c., with FOREIGN POWERS, viz. :—with	
..... Netherlands, &c. Treaty. Commerce. Navigation ...The Hague, 31st December, 1851.	1109
..... Sardinia, &c. Additional Convention. Commerce. Navigation..Turin, 20th May, 1851.	1194

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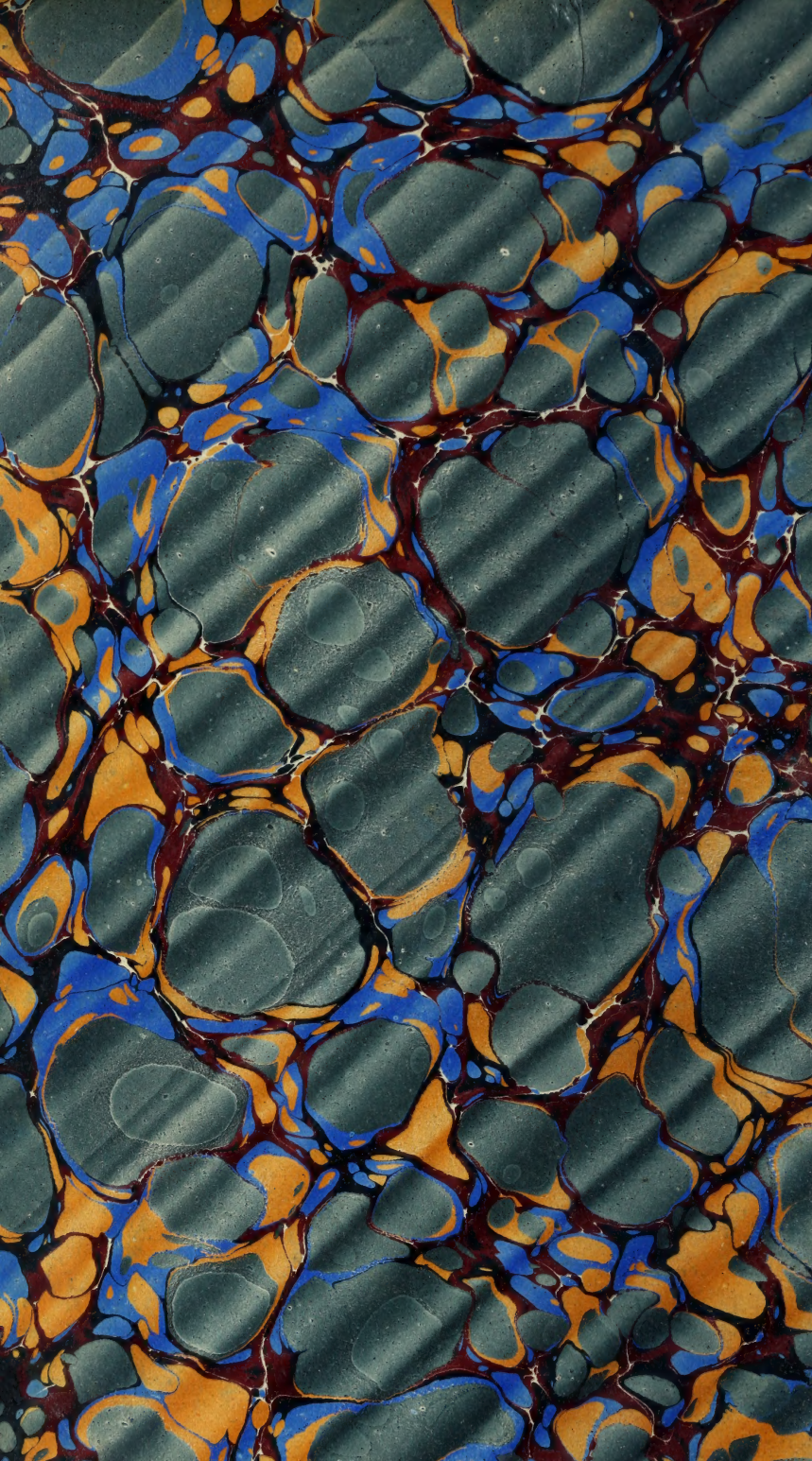
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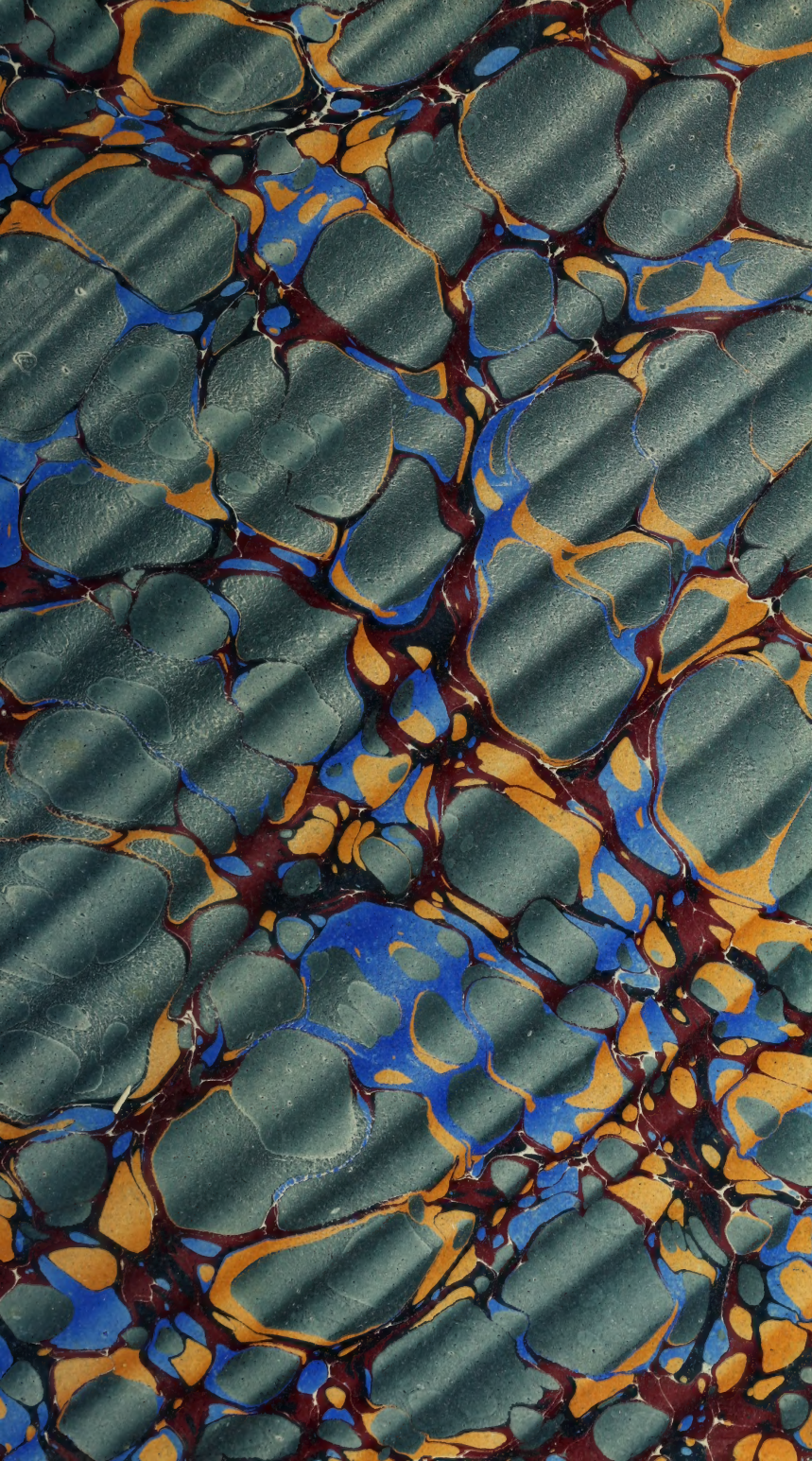
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